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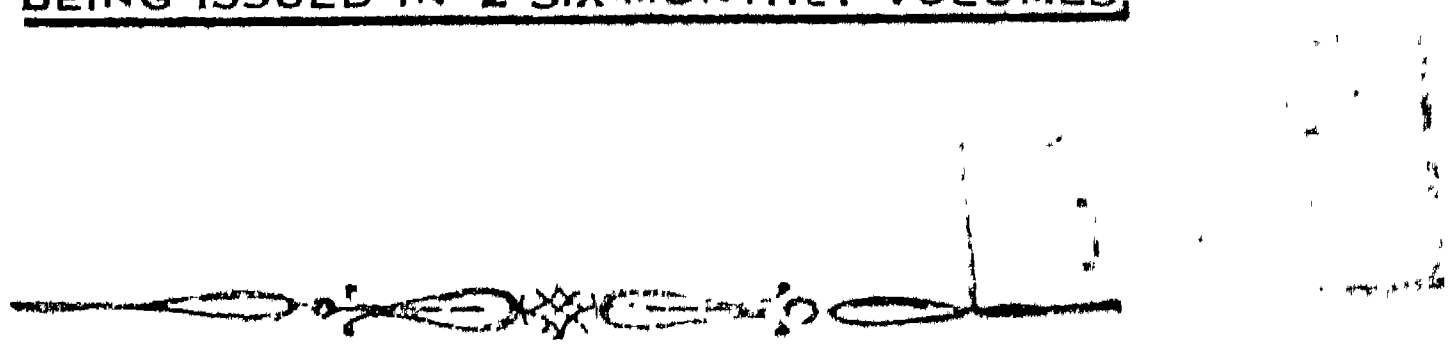
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1934	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	1934	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
JAN.	7 14 21 28	1 8 15 22 29	2 9 16 23 30	3 10 17 24 31	4 11 18 25	5 12 19 26	6 13 20 27	JULY	1 8 15 22 29	2 9 16 23 30	3 10 17 24 31	4 11 18 25	5 12 19 26	6 13 20 27	7 14 21 28
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INDIA IN HOME POLITY

January—June 1934

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missiles. A posse of police who were standing by took the situation in hand but the strikers turned against the police themselves causing injury to a sergeant and two sub-inspectors. Finding that the situation was getting worse the police fired ten rounds as a result of which one striker was injured and admitted into hospital. The crowd gradually melted away though stray assaults continued for sometime.

3th. League's Reply to Hindu Mahasabha :—The reply sent by the League of Nations to the Hindu Mahasabha regarding the latter's representation in conformity with the resolutions passed at the Ajmere session of the Mahasabha clarified the League's legal commitments in the matter of protection to the Minorities. The reply was accompanied by certain documents and pamphlets concerning the protection of linguistic, racial and religious minorities by the League and also provisions contained in the various International instruments at present in force. The reply ran thus:—"The League's responsibility in connection with the protection of the Minorities is based either on special treaties concluded between certain governments and dealing in each case with the protection of minority in a specified state or on declaration made by certain Governments,—members of the League—by which they have accorded to the League's Council certain responsibilities in connection with the protection of Minorities in their countries. There is no provision in the League's Covenant which would admit the extension of rights and responsibilities of the Council in connection with the protection of minorities in any country not covered by such treaties or declarations, except as the result of official governmental initiative and the consent of the government concerned. The resolution adopted at the third assembly of the League could not confer any powers on the Council. Article 11 of the Covenant applied only to cases of war or threat of war and circumstances affecting the international peace and it could only be invoked by the Governments concerned."

15th. Disastrous Earthquake in Bihar :—A disastrous earthquake occurred in North India to-day and the shock was felt in the whole area from Assam to Cawnpore. Bihar was the province most affected. The earthquake caused wide-spread loss of life and damage to buildings, the full extent of which could not be ascertained owing to interruption of telegraphic and railway communication. In Patna division, a Government communique said, over 500 lives were lost and several hundreds of persons injured and over 4,000 houses in the town were either damaged or destroyed. In Bhagalpur division, there was not much loss of life but buildings were extensively damaged. Monghyr town suffered very severely and loss of life estimated at several thousands occurred in the bazar which was a heap of ruins. At Jamalpur great damage was done, while about 20 died. Tirhut division suffered most, with railways and roads unpassable. Many lives were lost in Muzaffarpur town and buildings damaged. Darbhanga was equally affected. Both the palaces of the Maharaja of Darbhanga were damaged. In Muzaffarpur and Darbhanga almost every European factory was damaged. A report from the United Provinces to the Government of India stated that the earthquake was most severe in the eastern portion of the province. Another earthquake shock was reported to have been felt at Muzaffarpur on 20th January. Some slight shocks were noticed at the same time in Cawnpore, Mogalsarai and Allahabad.

Earthquake Relief :—His Excellency the Viceroy issued an appeal for relief in connection with the earthquake. He set up a fund and started the fund with a donation of Rs. 5,000. His Majesty the King-Emperor gave a hundred pounds while the Queen donated fifty pounds. A provincial relief fund was opened by the Bihar Government. The Mayor of Calcutta started a relief fund and the Muslim Relief Committee sent money and workers to the devastated area. A subscription fund for the relief of the victims of the earthquake was opened in Paris under the auspices of the Union Internationale Secours. They sent £1,000 for the First Aid and Red Cross work. Babu Rajendra Prasad formed a relief committee and issued an appeal to South India for help. Pandit Jawaharlal also joined in the appeal and visited Muzaffarpur on 22nd January. In response to the Viceroy's appeal, the Governor of Bombay contributed a thousand rupees to the Viceroy's Fund.

16th. *Gandhiji's Tour in the South* :—Mahatma Gandhi and party left Calicut for Trichar where they arrived to-day. Gandhiji stayed at the Ramakrishna Gurukul Mandir. He addressed a public meeting and left for Ernakulam. Gandhiji stayed at the premises of the Tata Mills. He left Tatapuram for Tripunithura and afterwards returned to Ernakulam. He was presented with a civic address. Gandhiji and party left Ernakulam for Alleppey en route to Quilon where he arrived on 20th January. A purse was presented by the public of Quilon after which he left for Trivandrum. Mahatmaji addressed a large public meeting in the Municipal Maidan when addresses and purses were presented to him.

17th. *Protest against alleged excesses during troop marches* :—A public meeting of the citizens of Calcutta, at the Albert Hall, Mr. A. K. Fazl-ul-Huq presiding, protested against "the alleged excesses reported to have been committed in connection with the route marches of troops in the district of Midnapore." The meeting also adopted a resolution protesting against the alleged enforced saluting of the Union Jack, flogging of villagers and destruction of their property.

18th. *Pt. Jawaharlal condemns Terrorism* :—Addressing a meeting of students in Calcutta, Pandit Jawaharlal said that the action of a few terrorists in Bengal had given the Government an excuse to crush every single activity in the province. He emphasised that the method of terrorism was completely futile, ineffective and harmful, and to his mind the only method was mass action which must be peaceful. He concluded by saying that behind all these problems were economic causes, and the solution of the economic problem would solve the other problems.

24th. *Mr. Rafi Ahmed Kidwai sentenced* :—Mr. Rafi Ahmad Kidwai was sentenced by the Additional District Magistrate of Allahabad to nine months' rigorous imprisonment under the Criminal Law Amendment Act and to six months' rigorous imprisonment under the Press Act in connection with unauthorised leaflets bearing his name as Provincial Congress Secretary, discovered during a raid, the sentences to run concurrently. Four Congressmen were sentenced to six months each in the same connection.

Order on Chittagong Youths :—The District Magistrate, Chittagong, served a notice on about one hundred Hindu Bhadralog youths ordering them to remain within their houses for one month. The notice read :—"Whereas I consider the restriction of your movement necessary with a view to stopping the movement of absconders and terrorists, you are hereby ordered, under the Government notification of 2nd December 1932, under the Suppression of Terrorist Outrages Act, to remain indoors for one month, where you ordinarily reside."

26th. *Seth Punamchand sentenced* :—Seth Punamchand Ranka was sentenced at Nagpur under section 7 (1) (B) Criminal Law Amendment Act and Section 143, I. P. C. to five and six months' rigorous imprisonment respectively, the sentences to run consecutively. He was also fined Rs.500 in default to a month's imprisonment. It might be recalled that Seth Punamchand Ranka was arrested with ten others on 30th December last, while preaching boycott of British goods.

28th. *The Toll of the Earthquake* :—Monghyr and Muzaffarpur were the towns which suffered much in the recent earthquake. In Muzaffarpur only three houses defied the earthquake, while in Monghyr not even one was left standing. The debris took a long time to be cleared. It was estimated that the number of deaths of human beings would exceed twelve thousand. The towns were stinking on account of the dead bodies under the debris, which were not extricated. The cattle in Monghyr mostly perished and the loss at a modest estimate might come up to a lakh. Relief camps were working in both the towns. Besides the official camps which were working under the guidance of the District Magistrate, the Central Relief Camp of Babu Rajendra Prasad's Committee was also working. St. John's Ambulance Association opened a branch. A number of doctors, both Ayurvedic and Allopathic, opened free medical relief centres. The Vivekananda Mission, the Sri Ramakrishna Mission, the Marwari Relief Society of Calcutta, the Hindu Mahasabha and twenty other bodies also opened relief camps. H. E. the Viceroy's Earthquake Relief Fund exceeded five lakhs of rupees by this time.

31st. *New Anti-Terrorist Bill for Bengal* :—With the object of dealing more effectively with terrorism a bill known as Bengal Criminal Law Amendment Bill 1934 was introduced at the current session of Bengal Council by the Home Member (Mr. R. N. Reid), providing death penalty for possession and manufacture of arms and explosives if the offenders intend to use them for the commission of murder or abetment. The Bill also made provision for the extreme penalty for sale of firearms with the intent to murder or abetment of the offence. According to the statement of objects and reasons the necessity for this provision had arisen from the fact that several cases of use of country-made arms have recently come to the notice of the Government.

FEBRUARY 1934

1st. *Muslims and Calcutta Municipal Services* :—The demand of nineteen Moslem Councillors for the allotment to Muslims of one-third of the appointments in the Municipal services was rejected by the Calcutta Corporation. The House instead, accepted an amendment reaffirming the policy of the late Mr. C. R. Das and Mr. J. M. Sen Gupta and Mr. Subash Chandra Bose of associating qualified Moslems in a fair measure in the Services, without impairing efficiency.

Decline in the number of C. D. Prisoners :—The gradual decline in the number of persons undergoing imprisonment in connection with the Civil Disobedience movement is maintained. At the end of January last 1,990 persons were undergoing imprisonment as against 2,778 at the end of December, 1933. Bombay registered a decrease of 113, Madras 54, Bihar and Orissa 390, Bengal, 86, and the United Provinces 124. The number of prisoners at the end of January 1934 were : Madras 106, Bombay 877, Bengal 285, United Provinces 223, Punjab 63, Bihar and Orissa 182, Central Provinces 51, Assam 28, North-West Frontier Province 153, Delhi 7, Coorg 5, and Ajmere-Merwara 11.

2nd. *Riots in Kashmir* :—A Kashmir Government communique said : Reports from Srinagar and mofussil states that a large gathering collected at Kankar Mohana Mosque, where Mr. Ghulam Mahomed delivered a speech. A big procession was then taken out from Kankar in defiance of the District Magistrate's orders. Attempts to stop it were made by the Police near Fattah Kadal, but the mob overpowered the officers and the Police under showers of stones and Kangries, i. e., firepots. The procession later changed its programme and returned to Kankar. Smaller processions of women and children were also taken out earlier in the day, the adults accompanying them became very violent and pelted the Police with stones and some of the Police received injuries and a few constables are missing. The Police tried to disperse a mob near Avantipur but were attacked with stones and kangries. The Government Tehsil building was then attacked by the mob and attempts were made to break into the Treasury. The military were forced to open fire, resulting in some casualties.

Help Devastated Bihar : Mahatma Gandhi's Appeal to Foreign Countries :—Mahatma Gandhi issued the following appeal to foreign countries on behalf of the earthquake-stricken people of Bihar :—"I heartily endorse Babu Rajendra Prasad's suggestion of appealing to foreign countries, in the hope that Indians living in different parts of the world will send the most they can. I have in mind especially old friends and fellow-workers in Africa. Merchants and others living in England, on the Continent, Japan and America are also requested to send liberal contributions. In point of distress nothing perhaps has surpassed Bihar's calamity in India within living memory. Reluctant though I always have been to appeal to non-Indians for pecuniary help not from any prudery but out of delicate consideration, I gladly accept Babu Rajendra Prasad's suggestion and invite the numerous non-Indian friends in Europe, Africa and other parts of the world to render such help as they can.

- 5th.** *Death of Mr A Rangaswami Iyengar* —Mr A Rangaswami Iyengar, Editor, of the "Hindu", Madras died at 1-45 A.M. to-day. He was 57 years old. Mr Iyengar joined the "Hindu" as Assistant Editor in 1906 and left it in 1915 to take editorship of "Swadeshmitram" the leading Tamil daily. He was appointed Editor of the "Hindu" in 1928. Mr Iyengar was a prominent Congressman and in 1919 he went to England to give evidence in connection with the Montford Reforms scheme on behalf of the Congress. He was General Secretary of the Congress from 1924 to 1927. He was elected to the Legislative Assembly in 1921, being appointed Secretary of the Swaraj Party the same year. He was a delegate to the Round Table Conference of 1931 and 1933 and was called into consultation with the Joint Parliamentary Committee on the White Paper. His death was deeply mourned as a great loss to Indian journalism and politics.
- 6th.** *Bihar's Distress Acharya Ray's Appeal* —"North Bihar is literally a whole mass of ruin. Lakhs have lost their dwelling houses and are now exposed to weather and wind. Wells have either gone dry or have been choked with sand thrown up from fissures made in the surface of the earth. Thousands of acres of what were most fertile land before the 'quake' are sandy deserts to-day. The present is a complete picture of utter desolation and indescribable misery and want, and the future is blank without even that promise of hope that sustains. We, with all the imagination, can hardly make any idea of the misery, from this distance. Lacs have come where crores are needed. Remember we are on our trial. If we really mean to save these children, sisters and brothers of ours, we shall have to leave on one meal and part with the other for their sake. I pressingly urge my brothers and sisters to realise this and contribute to the best of their capacity".
- 10th** *Burge Murder Case Judgment* —The Special Tribunal, consisting of Mr. H. G. Waight (president), Mr T. N. Bose and Rai S. P. Ghosh Bahadur (Commissioners) pronounced judgment in the Burge murder conspiracy case, sentencing Nirmaljiban Ghose, Brajakishore Chakravarti and Ramkrishna Ray to death, Kamakshya Ghosh, Nandadulal Singh, Sanatan Rai and Sukumar Sen to transportation for life. Manindra Chowdhury, Purnananda Sanyal, Bejoy Krishna Ghosh and Sarojedass Kanungo were acquitted.
- 12th.** *Pandit Jawaharlal Nehru arrested in the evening at Allahabad.* He returned from Bihar yesterday after ten days' tour and was busy writing a report for the Central and Allahabad Committees. This made the Pandit's seventh arrest. He had already spent about five years and a half in jail. He was brought down to Calcutta and was sentenced by the Chief Presidency Magistrate to two years' S. I. on a charge of sedition and was put in "A" Division.
- 14th** *Gandhiji's Tour.* —After his tour in the Coimbatore district, Gandhiji visited Combai and Thavaram in Madura district where addresses and purses were presented. From Thevaran the party motored to Theni railway station en route for Sholavandan. Gandhiji was accorded rousing receptions on the way. At Sholavandan a crowded meeting was held and addresses and purse were presented. He left the same day for Trichinopoly. At Srirangam an address was presented on behalf of the public of Srirangam. The Trichinopoly Taluk presented an address and purse. He addressed a mammoth gathering in the Puthur maidan where he received a number of addresses and purses. After visiting suburbs of Trichinopoly, Gandhiji visited Kulitalai, Karur and Trichengodu, and proceeded to Salem. On the way Gandhiji was presented with addresses and purses at Namakkal, Sendamangalam and Rasipur. From Salem, the party entrained for Tanjore where they arrived on 16th February. After his tour in the Tanjore District, Gandhiji left for Chidambaram. Next, the party visited Cuddalore and Pondicherry and then motored to Tiruvannamali. Vellore was next visited by Gandhiji.
- 17th.** *The Railway Budget* —The Indian Railway Budget was introduced in the Legislative Assembly by the Railway Member and in the Council of State by the Chief Commissioner for Railways. It showed that while last year the deficit was 10 one fourth crores as against the anticipated figure of 9 three fourth crores, in the current year the revised estimates suggested a deficit of 7 three fourth crores and in the budget estimates for 1934-35 the deficit anticipated was 5 three fourth

crores. Sir Joseph Bhore, in his speech introducing the budget in the Assembly saw a revival of trade judging by the movement of traffic and opined that intrinsically the financial position of the Indian railways was strong.

19th Statistics of Crime in Bengal.—According to a statement by the Home Member, laid on the table of the Bengal Council, 2,241 dacoities were committed in Bengal in 1931, 1,845 in 1932 and 1,612 in 1933. Of these the number of cases in which firearms were used was 130, 154 and 101 in respective years and the number of cases in which "Bhadralog" classes participated in these years were 55, 60 and 45 respectively.

20th Mr. Jinnah's criticism of the White Paper.—That the All-India Federation visualised in the White Paper scheme was not a real and genuine federation, that this scheme was retrograde, that it would create an enormous amount of ill-feeling and ill-will between the Indian States and British India and that it would prove a failure, were some of the observations made by Mr Mahomed Ali Jinnah at a public meeting held at Blavatsky Lodge, Bombay.

Armed Gang with Bombs and Swords.—Information was received in Calcutta of the arrest by police of two members of an armed gang in the night while preparing to commit a dacoity in village Birkasimnagar within the jurisdiction of Kuliarchar Police station in the district of Mymensingh. It was reported that shots were exchanged on both sides resulting in one dacoit being seriously injured. The police, it was also reported, seized a muzzle loader with ammunition, bombs, swords and chisels.

22nd Military Marches in Midnapore and Contai.—The question of military marches in Contai and Tamluk Sub-Divisions in Midnapore District was again raised on the floor of the Bengal Council during question hour when, replying to Mr R. Maiti, Hon'ble R. N. Reid asserted that the principal object of these marches was to enable the people of the villages in the interior "to meet the troops and to appreciate their high standard of discipline, efficiency and nobility and to show that the Government have at their disposal ample resources for the protection of all loyal and law-abiding citizens." To further questions, the Home Member admitted that house searches were made by the police during these operations, but denied that the searches were ever made by troops. He was emphatic that no avoidable damage had been caused.

23rd. Hunger-strike in Alipore Jail.—Answering a short notice question in the Bengal Council Sir C. C. Ghose said a large number of political prisoners in the Alipore Central Jail stopped work on 15th February, and immediately went on hunger-strike. At present there were eighteen Division III and one Division II prisoners on hunger-strike. Their condition was satisfactory. The grievances relate to non-supply of writing material, newspapers and magazines as also complaints about diet and clothing privileges which are inadmissible owing to their being Division III prisoners.

24th. State-aid to Industries in Bengal.—A press note on the work done by the Industries Department in the Government of Bengal in 1932-33 was issued by the Government of Bengal. The most noticeable features of the work of this Department during this period were The bringing into operation of the State Aid to Industries Act, and the inauguration of a scheme of economic reconstruction in order to attempt the solution of the problem of middle class unemployment. The new Stores Purchase Rules give the articles produced in Bengal by bonafide local industries a premium in the stores purchase programme of the Government and it goes without saying that these rules help in the industrial development of the province without any additional expenditure from public funds.

26th. Military Training for Bengali Youths.—Without any opposition the Bengal Council adopted the resolution of Rai Bahadur Keshab Chandra Banerji recommending to the Government "to convey to the Government of India and to His Majesty's Government in England that in the opinion of this Council early steps should be taken for giving military training to the people of Bengal so as to raise a permanent unit to form a part of the Indian Army."

27th. Indian Budget : Sir George Schuster presenting his budget for 1934-35 in the Assembly expects to close the current year, after providing 3 crores for Debt Redemption, with a surplus of 129 lakhs which is proposed to be transferred to a special fund for earth-quake relief. A deficit of 153 lakhs is anticipated and deficit is sought to be made up by imposition of new duties. It is proposed to impose an excise duty on sugar of Re. 1-5-0 per cwt. reduction of silver duty by 2 and half as. per oz. which, by increasing imports, is expected to increase revenue by 4 lakhs ; raising duty on raw tobacco from Rs. 2 to Rs. 2-6 per lb. and on cigarettes by levying Rs. 5-15 per thousand plus 25 per cent ad valorem. It is proposed to abolish the export duty on hides. Revision of postal rates is provided. It is proposed to lower the initial weight of inland letters by half a tola coupled with a reduction of the charge from 1 and one fourth anna to 1 anna. A remission of the extra pie per five pice embossed envelope increasing the charge on inland book packets from 6 pies to 9 pies, and provision for a 9 anna telegram of 8 words are also proposed.

Hili Raid Case Judgment :—Judgment in the Hili Station raid case was delivered by the Special Tribunal. Accused Prankrishna Chakrabarty, Satyabrata Chakrabarty, Saroj Kumar Basu and Hrishikesh Bhattacharyya were sentenced to death. Abdul Kader, Prafulla Sanyal and Kiran De were sentenced to transportation for life. Kalipada Sarkar, Ramkrishna Mandal and Haripada Basu were awarded 10 years' rigorous imprisonment each. The accused received the sentence calmly. Only seven days were allowed to file appeal. It may be remembered that on the early morning of October 28 last when three mail peons were receiving mail bags at the Hili Railway Station from the Up Darjeeling mail, about a dozen persons, mostly young men, armed with guns, revolvers and other deadly weapons fell upon them and looted the mail bags after injuring them with revolver shots. The raiders were also reported to have taken away a part of the cash from the station iron-safe. It was further alleged that the miscreants attempted to cut off the telephone and telegraph lines but on the Station Master opening fire they bolted away. One of the mail peons named Kalicharan Mali who received serious gun-shot injuries succumbed in the Campbell hospital, Calcutta, where he was removed for treatment. Charge sheet was submitted against 15 persons, two still absconding. Of these thirteen actually put on trial three who pleaded guilty were sentenced to two to 5 years' rigorous imprisonment each and one to 7 years' rigorous imprisonment.

28th. C. D. Convictions : Persons still in Jail :—Total number of convicted persons undergoing imprisonment under ordinary law, (both central and provincial acts which replaced Ordinance X of 1932) in connection with the Civil Disobedience Movement at the end of February last was 1664 as against 1890 at the end of January, showing a decline of 326. Number of prisoners, province by province, was as follows :—Bombay—744, Bengal—228, United Provinces—228, Punjab—48, Bihar and Orissa—133, Central Provinces—19, Assam—22, North-West Frontier—147, Delhi—7, Coorg—2, Ajmer-Merwara—9. Total number of these prisoners at the end of February 1933 was 13671.

MARCH 1934

8th. Nazi Hero's Fling at Mahatma Gandhi :—"I shall never allow before me Gandhi being celebrated as a hero of freedom ; I consider him an anti-British Bolshevik agent in India. A while back I refused to receive a colleague of his, when someone at an accidental meeting wanted to present him to me." This was how General Goering, who is one of Hitler's henchmen, expressed the oft-reiterated Nazi antipathy to India in the course of a interview to a representative of the London "Daily Mail." Referring to England General Goering stated : "We have no feelings against England. The English are near blood relations of Germans, a point to which we attach great attention." And the fling at Mahatma Gandhi was made as if to prove this renewed brotherly love to their English cousins.

10th. *Anti-Terrorist measure for Assam* :—An Assam Gazette Extraordinary published contained provisions of the Assam Criminal Law Amendment Bill, 1934, which was introduced in the course of this session. The objects and reasons of the Bill stated that the pressure on the revolutionaries in Bengal had driven a number of them into Assam. The Bill provided for the trial of terrorist offenders by special tribunals appointed by the local Government, the Commissioners so appointed being empowered to dispense with the attendance of any refractory accused and to hold the trial in his absence. Section (16) of the Bill empowered the Government to put all manner of restrictions on the movement of political suspects as also their arrest or search with warrant.

Anti-Terrorist Bill passed :—The Bengal Council passed the Bengal Criminal Law Amendment Bill by 61 to 16 votes. There were altogether 265 amendments and almost all amendments were moved. Before the bill passed the third reading several non-official members offered final opposition to the passage of the bill.

12th. *Curfew order in Chittagong* :—The District Magistrate, Chittagong, issued orders, under the Bengal Suppression of Terrorist Outrages Act, prohibiting Hindu and Bhadrak youth up to 25 years of villages within the jurisdiction of Sitakhund, Mirsarai and Hathazari police station from going out of their houses from sunset to sunrise.

24th. *Sikhs and the Communal Award* :—"That the Premier's Communal Award was a gross injustice to the Sikhs, and the sooner a campaign against its impracticability was started the better would it be" was the keynote of the speech delivered by Sirdar Kharak Singh, President of the Sikh National Conference, which met at Lahore. The President said that important concessions were given to the Moslems in the Award, and the rights and privileges of the Sikhs were totally ignored. He appealed to those present to face the difficulties they might encounter in the attainment of Swaraj.

25th. *Sir Ashutosh Memorial Statue unveiled* :—The statue of the late Sir Ashutosh Mukherjee was unveiled to-day by the Hon'ble Raja Sir Manmatha Nath Roy Chowdhury of Santosh at the Chowringhee corner of Chittaranjan Avenue, before a distinguished gathering of ladies and gentlemen. The statue was a beautiful full-size bronze one clothed in the robes of Vice-Chancellor, commanding the magnificent personality that was Sir Ashutosh's own. It was erected with funds obtained from two special International Football matches sponsored by the Raja of Santosh and played in 1924 and 1926 under the auspices of the I. F. A. and managed by a special representative committee formed under the aegis of the Eastern Bengal Club. The Calcutta University also made a substantial contribution. In unveiling the statue Sir Manmatha Nath paid glowing tributes to the versatile genius of Sir Ashutosh, specially as a great educationist and high priest of nationalism.

26th. *Magistrate and policeman killed in rioting* :—A serious rioting took place during the Mariamman festival at the Virasinganpatti village near Trivadi resulting in the death of the Trivadi Sub-Magistrate, Mr. Nelliappa Mudaliar, and head constable Subramania Pillai, attached to the Trivadi Police Station and two other persons. Unlike in previous years an order under Section 144 was issued by the Second Class Magistrate of Trivadi, prohibiting devotees from resorting to hook-dragging of vehicles and hook-swinging. The trouble arose, when a section of the public including the Kalyanapuram villagers refused to obey the order. They persisted in hook-swinging, on the ground of fulfilling their vow. The Magistrate and the police insisted on the order being obeyed. People who got up the platform for hook-swinging were ordered to disperse. Stones were thrown on the police party and the Magistrate who ordered the police to open fire in self-defence. Two persons were killed by the firing but the pelting of stones increased and the Magistrate and the policemen took refuge in the temple. The mob rushed inside and the Magistrate and the policemen were beaten severely. The Sub-Magistrate died on the spot while a Head constable died at the hospital owing to the injuries received.

27th. *Finance Bill passed in the Assembly* :—The Assembly passed the Finance Bill, after a night sitting. During the debate on the third reading, Mr. Sitarama Raju pleaded for the withdrawal of repressive measures and the crea-

tion of a peaceful atmosphere which was very essential for the working of the future constitution. He complained that Madras had been milked dry to feed Bengal and Bombay. He protested against subsidising provincial deficits from Central revenue. He suggested prohibition of foreign imports and removal of export duty and control of provincial distribution regarding Burma rice if necessary by quota. Raja Bahadur Krishnamachari said that the Finance Member had not put forward any scheme for relieving rural indebtedness, for facilitating the marketing of agricultural products and checking rice imports. Mr. Mody drew the attention of the Government to trade diversion from Bombay and asked what the Government of India was doing in the matter. Mr. S. C. Mitra complained that troops marches in Bengal were nothing short of terrorising the people into submission of all kinds, and said that it would quickly undermine India's faith in British justice. Sir George Schuster replied to the points raised in the debate and the Bill was passed.

28th. Hindu-Muslim Clash in Cannanore :—It was reported that a serious rioting occurred between Hindus and Moslems, in Camp Bazar, Cannanore, as a result of Moslems' attempt to stop a procession of Hindus with music, going to Sri Sundareswarar Temple, where the annual festival was being held. Brickbats and soda bottles were feely used, resulting in serious injuries to both Hindus and Moslems. A party of armed police headed by the Deputy Superintendent, immediately arrived on the scene and pacified the mob and led the procession to the temple. A few policemen were also reported to have been injured. A Christian named James Harrison employed in the Commonwealth Trust died in the hospital.

29th. Loans to Indian States :—An issue of great constitutional importance was raised by Mr. S. C. Mitra in the Assembly, when Sir George Schuster moved for a supplementary grant in respect of loans and advances to the Indian States and provinces. Mr. Mitra asked why the Government had not provided for those items in the budget itself and questioned the Government's policy of lending money first and coming for sanction later. He wanted also full particulars of the loans, of the securities and the periods for which the loans were made. The President of the Assembly agreed with the importance of the issue raised by Mr. Mitra and said that the Government must be very careful in bringing out items under supplementary grants. He also suggested that the Standing Finance Committee must satisfy themselves that the placing of the supplementary grants was justified under the rules. Sir George Schuster said that this item was brought out under supplementary grants as it could not be foreseen at the time of drawing up the budget. Sir George assured the House that the Government of India were fully aware of their responsibility in the matter of granting loans to States and Provinces. Sir George then explained at great length the details of the loans to the States, after which the demand was passed.

31st. Federation of Indian Chambers of Commerce Meeting :—An attack on the repressive methods adopted by the Government was made by Mr. Nalini Ranjan Sarkar in course of his presidential address at the Annual General meeting of the Federation of Indian Chambers of Commerce. "The Government by their lack of vision and sympathy and the adoption of harsh and indefensible methods, may be adding fuel to the fire of national resentment, which might at any time blaze forth again into the terrible conflagration of revolution." Reviewing the political situation, he observed that the civil disobedience movement had not succeeded in bringing about the hoped for results, and said it was impossible to define the attitude of the commercial community towards the coming reforms unless they knew its exact character. "I do not think" he said, "that the time has yet arrived for the commercial community to make any immediate decision on the question of council-entry. Our readiness to go to the Council cannot be of any avail unless the country also decides upon such a policy."

APRIL 1934

1st. Congress Leaders' Conference :—The Congress Leaders' Conference held at the residence of Dr. Ansari at Delhi on 1st and 2nd April, unanimously decided to revive the All-India S warajya Party, which had ceased to function since the

Lahore Congress, as an effective political organisation under the auspices of the Congress. It was resolved to contest the forthcoming election to the Legislative Assembly and secure the election of the party's candidates on the following two issues : (a) to implement the country's mandate to get all repressive laws repealed ; (b) to reject the proposals contained in the White Paper and get them replaced by the National Demand on the lines indicated by Mr. Gandhi at the Round Table Conference. The conclusions of the Conference will be placed before Mr. Gandhi for his consideration and advice. The following official statement was issued after the Congress Leaders' Conference :—“The Conference reassembled at 9-30 a.m. to-day and resumed discussion. After an exhaustive examination of the present political situation in the country, the general opinion of the Conference was embodied in the following conclusions :—(1) In the opinion of this Conference the All-India Swaraj Party, which had been in abeyance, should be revived in order to enable Congressmen who are not offering individual civil resistance, to undertake thorough organisation of a constructive programme, as contemplated in Poona statements ; (2) In the opinion of this Conference it is imperative for the party to take up Government's challenge in relation to the forthcoming elections to the Legislative Assembly to secure elections of its candidates for the following issues : (a) To implement the country's mandate to get all repressive laws repealed ; (b) To reject proposals contained in the White Paper and get them replaced by the national demand on lines indicated by Mahatma Gandhi at the Round Table Conference so that the country may re-affirm its confidence in the Indian National Congress.

Plea for reform of Hindu Marriage Customs :—Courtship and divorce, picketting to prevent unequal marriages and boycott of husbands who desert their wives and re-marry were advocated at the Conference of Agarwal ladies held at Allahabad.

2nd. Muslim League and communal unity :—The Council of the All-India Muslim League, which held its sessions at New Delhi under the presidency of Mr. M. A. Jinnah, accepted the Communal Award so far as it goes until a substitute was agreed upon by the various communities in India and on that basis expressed their readiness for co-operation with other communities and parties to secure such future constitution for India as would be acceptable to the country.

3rd. Indian Insurance Conference :—The Second Indian Insurance Conference, held at Lahore, under the presidentship of Sir P. C. Ray, urged the Government to take immediate steps to eliminate competition from foreign companies by making suitable amendments in the existing laws in this direction. The conference was of opinion that State insurance was likely to hamper private enterprise and pleaded for the abolition of Postal Insurance Fund.

7th. Mahatmaji's decision :—“Introspection prompted by the conversations with the Ashram inmates had led me to the conclusion that I must advise all Congressmen to suspend Civil Resistance for Swaraj as distinguished from specific grievances”, said Mahatma Gandhi, in the course of a statement. “They should leave it to me alone. It should be resumed by others in my life-time only under my direction unless one arises claiming to know the science better than I do. Civil Resistance of many, grand as it has been in the result, has not touched the heart of the Terrorists or of the rulers as a class”. In conclusion Gandhiji called upon the workers to devote their times in nation-building activities supporting Communal Unity and removal of Untouchability.

8th. Gandhiji's Approval :—The result of the discussions which Gandhiji had with the Congress leaders' deputation, regarding the Delhi decisions, is embodied in a letter addressed by Mahatmaji to Dr. Ansari. In the course of the letter, Gandhiji says that he welcomes the revival of the Swarajya Party and the decision to take part in the forthcoming elections to the Assembly. Regarding Council entry, Gandhiji says that his view remain the same as what they were in 1920, but he adds that it is the duty of every Congressman who does not want to take part in civil resistance and who has faith in Council entry to enter the legislatures and prosecute the programme which he believes to be in the

best interests of the country. Consistently with those views, Gandhiji says, he will be at the disposal of the Party and render "such assistance as it is in his power to give".

11th. States' Protection Bill Passed —The Bill to protect the Administration of States in India, which are under the suzerainty of His Majesty, from activities which tend to subvert or to excite disaffection towards or to obstruct such administrations, as amended by the Select Committee, was passed by the Assembly by a majority of 57 votes as against 28.

13th. "The Communal Award, a great injustice to the Hindu community" —At a meeting consisting of several Hindu members of the Hindu Maha Sabha Working Committee and a number of leading Hindu citizens of Delhi, held at New Delhi, the question of the impending election to the Legislative Assembly was discussed. The general consensus of opinion was "that the Communal Award constitutes a grave injustice to the Hindu community, and is a negation of all principles of democracy and its revision and cancellation thereof must be one of the principal items in the programme to be adopted at the next general election to the Legislature". Raja Bahadur Krishnamachariar presided.

Future of the Democratic Swaraj Party —Prominent members of the Democratic Swaraj Party from Bombay and Poona met at Poona under Mr. N. C. Kelkar's presidency and discussed the situation created by the Delhi decision followed by Mahatma Gandhi's statements and also the coalition or co-operation of their party with Congress Swarajists. After considerable discussion, it was decided to run the Democratic Swaraj Party as a separate entity but to work in close co-operation with the Congress Swarajists if an honourable compromise was available.

Release of Prisoners India League Meeting —A meeting of the India League was held in the House of Commons, under the presidency of Mr. David L. Grenfell, and was addressed by Prof Harold Laski who, while repudiating sympathy with the policy of terrorism, condemned the special legislation passed and the methods adopted to deal with it in Bengal. Referring to the decision of Swarajists to contest the elections, Prof Laski moved a comprehensive resolution urging the release of political prisoners and those detained without trial, repeal of legislation incorporating the Ordinances, removal of restrictions of the Press, free speech and freedom of assembly and holding of free elections without discriminating against the participants of civil disobedience. The resolution also protested against banning the report of the India League Delegation, and demanded unconditional release of Pandit Jawaharlal Nehru. The meeting agreed to the resolution and decided to send a deputation to the Secretary of State in order to bring the resolution to his notice.

16th Govt Won't Prevent A. I. C. C. Meeting Or Congress Session —In the Assembly Sir Harry Haig announced that the Government would raise no obstacles to the meeting of the All-India Congress for ratifying Mr. Gandhi's new policy and that if, as a result, Civil Disobedience was called off the Government would review their policy with regard to Congress organisation and release of prisoners would be expedited. Further attempt by the "Associated Press" at the elucidation of the Government attitude regarding the Congress showed that at present neither the Congress nor the A. I. C. C. were declared illegal. The Government had only prevented their meeting. The Government will not now do so to enable these bodies to decide the issue of Civil Disobedience. The only Congress body, which was unlawful, was the Congress Working Committee. The Government did not propose to cancel the notification yet, but whether the Committee met formally or informally the Government would ignore the legal position and let the Committee meet. With the exception of Pandit Jawaharlal, Mr Patel and Mr Jairamdas, twelve members of the Working Committee were already outside the jail and had been meeting frequently.

18th. Poet's appeal to Government Retention of prisoners not justified:—Dr. Rabindra Nath Tagore sent the following message to the "Associated Press". "I am glad to read the Home Member's statement promising release of civil disobedience prisoners if calling off of the movement is ratified by Congress. For, any further retention of prisoners after ratification will be interpreted as showing a spirit

of persecution not worthy of a Government that claims to be civilized. I hope the Viceroy's generosity will rise equal to the occasion and give Bengal detenus also a chance to appreciate the Government's good-will. I appeal to the Government to strive for that dignity which is based on its claim to appreciation of human values and not on its mere assertion of power."

19th Indo-Japanese Trade Treaty signed.—The prolonged talks in connection with the formal drafting of the Indo-Japanese Commercial Treaty concluded satisfactorily. The two delegations met this afternoon formally in order to initial the Treaty. The Treaty was forwarded to London by air mail for formal diplomatic exchange. The Treaty merely reproduced the Agreement announced early in January.

23rd Punjab Sanatan Dharma Conference—Pandit Malaviya, delivering the presidential address of the Punjab Sanatan Dharma Conference, at Rawalpindi, said that untouchability, as practised, was never sanctioned by Vedas or Shastras. He pointed out that no untouchability existed in congregations, melas, thirthas, temples, etc., and added that every human being had a right to have a dharsan of the deity. Referring to the Bills at present before the Central Legislature, Pandit Malaviya emphatically declared that he opposed all those bills on principle and would exert every nerve for their withdrawal. He would not like to see any intervention on the part of the Government in religious matters. The Legislative Assembly constituted as it was, of Muslims, Christians, Parsis and others, had no right to pass any bill regarding temple entry. He appealed to Sanatanists to work for the betterment of the oppressed and Depressed Classes but struck a note of warning to too zealous reformers not to use compulsion in the matter of temple-entry by untouchables and not to commit anything likely to injure the feelings of the orthodox among the Sanatanists.

Bombay Textile Strike Starts—The long-threatened textile strike commenced on a restricted scale with the sounding of mill sirens at 7 a.m. in the morning. Arrangements for demonstrations and picketing the mill-gates were made on an elaborate scale by the Strike Committee. Mr Nimbkar, General Secretary to the "Council of Action," informed the "United Press" that 99 per cent of the textile workers were united on the strike issue and will fight to the last for a minimum period of three months. Further support to the general strike was given by the Bombay Provincial Trade Union Conference, which met at Lalbaugh under the presidency of Mr Rajani Mukherjee, who said, "Out of 1,50,000 textile workers of Bombay, 40,000 were already unemployed. The general strike will affect about a lakh of workers. We are aware of the gravity of the situation. We may fail, but we will venture." Elaborate police precaution in the mill areas were in evidence.

24th Death of Sir Sankaram Nair—Sir C. Sankaram Nair passed away to-day after a short illness. He was born in 1857 and was one of the oldest public men of India, his public life was active and varied—as a Executive Council Member and a keen social reformer.

Bombay Textile Strike—The strike situation took a somewhat ugly turn this morning when labour leaders defied the public ban. Processions broke the police cordon, upon which thirteen leaders, including Miss Mani Ben Kara, were arrested. The processionists were dispersed and the strikers resorted to stone throwing. Eighteen mills were closed to-day, involving 20,000 workers.

25th Bombay Textile Strike continued—The situation with regard to the mill strike had definitely taken a turn for the worse since the morning. Practically all the mills, excepting about ten, remained closed, thus swelling the ranks of strikers. Out of 51 mills, only about ten were working, with a considerably depleted complement, some of which are expected to close down during the course of the day. Some mills were also closed owing to the Moharram festival. The total number of strikers this morning had gone beyond 50,000. There had been numerous instances of stone throwing and stray assaults. A very serious situation developed at Lalbag at about 9-30 in the morning, when after a mass meeting the strikers took out a procession, defied police orders and marched forward breaking through the police cordon. A lathi charge was made and the demonstrators were dispersed, whereupon they indulged in repeated stone throwing at

the police force for about fifteen minutes : The atmosphere was tense. Police reinforcements arrived on the spot, including a squad of armed police. Mr. Smith, the Police Commissioner and his deputies arrived on the scene and watched the developments.

*Stones hurled at Mahatmaji's Car :—*The Sanatanist antics which had been in evidence since Mahatmaji started on his South Bihar tour reached their climax at Buxar on Wednesday afternoon and Jesidih early on Thursday morning. At Buxar three volunteers of the Reform party were injured, while at Jesidih a stone was hurled at the motor car in which Mahatmaji was travelling, which broke the glass pane at the back of the car and pieces of glass fell near the Mahatma. He was, however, not injured. At the public meeting at Deoghar, which Mahatmaji addressed on Thursday morning, several Sanatanists again made successful attempts to create a disturbance. In a statement which he made to the "Associated Press", Mahatmaji gave a vivid account of the incidents, and suggested to the Sanatanists that "the Sanatan Dharma will be ill-served by vulgarity and violence." "The whole of this agitation," said Mahatmaji, "against the Reformers, managed by a few hot-headed men, I fear, backed by influence behind the curtain wholly unnecessary."

27th. *Bombay Mill Strike : Police open fire :—*The police opened fire to disperse the threatening unruly mob of about a thousand strikers, who stoned the Diwijaye Mills, situated near Lalbag, when the mill management attempted to restart the work at about eleven in the morning. The strikers assembled on the three sides of the mill and assaulted the loyal workers, who wanted to go in and work. A party of police stationed in front of the mill made repeated lathi charges, but the crowd retaliated by hurling stones and other missiles at the police, as a result of which five constables were injured. The police officer in charge, finding that the situation was getting out of control, fired one round from his revolver, which had the desired effect and the crowd melted away. None was injured as a result of the firing, but several strikers sustained injuries on account of the lathi charge. Police reinforcements were rushed to the scene and the situation afterwards became quiet. A later message stated that the police opened fire second time to-day on a riotous mob near the textile mill on Delisle Road. Several rounds were fired as a result of which, it was believed, one was killed and four others wounded. The trouble started when workers returning home were attacked by strikers. Another report stated that only three had been sent to hospital with bullet wounds, none being killed.

28th. *Frontier Hindus' Conference :—*The Frontier Punjab and Sind Hindus' Conference was held at Peshawar. Pandit Malaviya, Bhai Parmanand and prominent Frontier Muslims were among the distinguished visitors present. Raja Narendranath, who presided, in his address, dwelt on the grievances of Hindus in the Frontier Province. Opposition to the White Paper, Communal Award, separation of Sind, expunging untouchability, demand for an Assembly Committee of Hindu members, triennially to scrutinise the working of the Frontier Government and see whether Hindu interests are properly safeguarded, adoption of joint electorates, due shares of the Hindu minority in the administration of the Frontier and representation in future Cabinet were urged by the conference.

*Bombay Mill Strike :—*What was described in Labour circle as a roundup of strike leaders and a blow dealt to the entire organisation of the strikers took place shortly before noon to-day when Mr. Nimbkar, Organising Secretary of the "Council of Action" and President of the Girni Kamgar Union, was arrested in connection with a speech delivered near Century Mills on April 23 last in the course of which he was alleged to have incited the workers to resort to violent methods. Thus with the arrest of Mr. Nimbkar, Miss Mani Ben Kara and Messrs. Menon, Kondivikar and A. N. Shetty, majority of the front rank leaders were removed from the field. This time all of them were arrested for non-bailable offences. Nonetheless, the strike position was considerably strengthened.

30th. *Chittagong Magistrate's Circular to Headmasters :—*The District Magistrate, Chittagong, issued, it was believed, a general circular letter to Secretaries and Headmasters of High Schools in Chittagong requiring them to investigate the

causes for the absence of boys from schools even for a single day and report the matter to him if any boy was found to be away from home. The circular also asked them not to grant transfer certificates or admit boys into a school which was more than three miles from his village home, without referring the matter to the District Magistrate. The letter added that failure to take the above action would be neglect of duty on the part of school authorities, which was bound to result in more youth becoming victims of Terrorist organisations.

MAY 1934

1st. Pt. Malaviya on Hindu-Moslem unity :—Addressing a public meeting at Peshawar, Pandit Malaviya said that Hindu-Moslem unity was the chief weapon for the attainment of early freedom and emphasised the importance of industrial development and encouragement of Swadeshi.

2nd. The Ranchi Swarajist Conference :—About a hundred Congressmen representing all the provinces met at Ranchi on 2nd and 3rd May in order to implement the decision of the Delhi Conference. Messages of sympathy from leaders who were unable to attend the Conference were read at the Conference. Dr. M. A. Ansari presided. Dr. Ansari, welcoming the delegates, referred to the reasons for the revival of the Swarajya Party and said that the object of the Conference was to formulate the programme and policy of the Swarajya Party, with a view to placing them before the A. I. C. C. for its approval. For the present, Dr. Ansari said, the party should concentrate just on one front, namely, the dual policy of the Government. They must, on behalf of the Congress, supply an effective reply to the repressive policy of the Government and register the country's verdict against the White Paper proposals. Chowdhry Kaliquazzaman next moved that the Conference do approve of the Delhi Conference resolutions reviving the Swarajya Party and contesting of the Assembly elections. Mr. K. F. Nariman opposed the resolution. He questioned the validity of the resolution in the face of the Lahore Congress's decision banning Council-entry. He moved an amendment which said that the item about Assembly-entry should come after the approval and sanction of the plenary session of the Congress. Mr. Nariman's amendment was defeated, only four voting for it. Dr. B. C. Roy then moved the adoption of the Party's constitution. He said that on all broad policies the party would be guided by the Congress organisation. For all practical purposes, the proposed constitution was the same as the original party's constitution with such changes as suited the exigencies of the present situation. The constitution was adopted. A resolution, which required the A. I. C. C.'s approval for giving effect to the resolutions adopted by the Conference, was moved by Mr. T. C. Goswami and was agreed to. Another resolution relating to the White Paper and the Communal Award was moved by Mr. Bulabhai Desai. It stated that the Conference was of opinion that the White Paper proposals were not only a negation of the National Demand made by Mr. Gandhi at the Second Round Table Conference but calculated to perpetuate the political subjection and economic exploitation of the Indian people. The Conference claimed for India the right of self-determination, and favoured the summoning of a Constituent Assembly representative of all the sections of the Indian people to frame an acceptable constitution. Regarding the Communal Award, the Conference was of opinion that a consideration of the acceptance or rejection of the mode and proportion of representation as contained in the Award might be taken up after the Constituent Assembly was convened.

7th. Police open fire at Muzaffarpur village :—The police had to open fire on a Hindu mob about 25,000 strong in village Bairanga in the district of Muzaffarpur, where considerable Hindu-Moslem tension had been prevailing since Saturday last. No casualty was reported so far. The trouble was alleged to have originated as the result of highhandedness displayed by some butchers of village Akhta, who

snatched away an number of cows while these were being taken to the pastures for grazing. Local Hindus protesting against this action of the butchers, the latter were reported to have let the cows go on Sunday evening after mercilessly beating them. It was alleged this was resented by the Hindu villagers. Both sides were mobilising their forces since then and a clash appeared imminent. On receipt of this information a strong contingent of police force was drafted to control the situation. On Monday afternoon, however, a Hindu mob numbering not less than 25,000 assembled at the outskirts of village Akhta, where the alleged offending butchers resided. They were prevented by the police force from entering the village, but the mob appeared to be in no mood to pay heed to these orders. As the situation threatened to get out of control, fire was opened with a view to disperse them.

8th. Bengal Governor shot at :—His Excellency Sir John Anderson, Governor of Bengal, was shot at just after the finish of the race for the Governor's Cup at Lebong. Several shots were fired at close range at His Excellency as he sat in the box but neither the Governor nor any one in his party was hit. Two of the alleged assailants with revolvers in hand were immediately arrested. Both were believed to be residents of the Dacca district.

*Gandhiji condemns violence :—*Gandhiji condemned the attempt on the life of H. E. Sir John Anderson, in an interview to the press. "Every minute of life's experience," said M. Gandhi, "further confirms me in the belief which I hold that non-violence is the only remedy for all ills of life, to deal with which violence is practised to-day. It is a great tragedy that some young men will not see that there is no short cut to deliverance from evils."

9th. No need for a new party :—Pandit Malaviya, in the course of a statement to the press regarding the formation of the Swaraj Party, said that he had "grave doubts about the wisdom of forming the Swaraj Party, as a party distinct from the Congress". Malaviyaji asked what would be the work of the Congress in future now that Mahatma Gandhi had recommended the suspension of civil disobedience and which suggestion was sure to be approved by the A.I.C.C. ? He said that the resolutions which the Swarajist Conference at Ranchi adopted included a great part of the activities which the Congress had prescribed for itself. And if the new party was to carry on all these activities what would be the work of the Congress, he asked. The Congress will support the council-entry programme, said the Pandit, and hence there was no need for a new party, as distinct from the Congress. Pandit Malaviya stressed the need for holding a special session of the Congress so that its influence among the people might be revived and the condemnation of the White Paper and the reiteration of the national demand might make a greater impression in England.

*Lebong Shooting Outrage : Calcutta Corporation's Abhorrence :—*The Calcutta Corporation at its meeting adopted a resolution recording "their deep sense of horror at and their unqualified condemnation of the dastardly attempt on the life of His Excellency the Governor of Bengal," and tendering "their sincere congratulations to His Excellency on his miraculous and providential escape." As a mark of rejoicing at His Excellency's providential escape the Corporation adjourned its business for the day. In order to give a more definite and concrete proof of their abhorrence of the outrage and as a mark of rejoicing, the House further decided to declare a holiday in the Corporation offices and institutions to-day. The Mayor intimated that he had already sent a message to His Excellency on behalf of the citizens of Calcutta conveying their sincere congratulations on his providential escape.

13th. Gandhiji to complete his tour on foot :—Gandhiji decided, and accordingly begun, the remaining portion of his Harijan tour on foot. In a message to the villagers of Ganjam, Gandhiji said that he had adopted the ancient and simple method of walking in order to demonstrate as far as it is possible the religious character of the mission. By walking to a few villages, he said he would be walking spiritually to all villages. Spiritual messages, he added, were better delivered through the natural methods of locomotion.

14th. Riot in E. I. Railway Office :—Rioting occurred at the office of the Colliery Manager, Serampore, in the East Indian Railway coalfield, Giridih. Rioters

attacked the office and burned motor cars. The police had to fire and killed two men. Rioters were dispersed and order restored at once. Enquiries showed that a gang of coolies assaulted Mr. Lancaster, Manager and burned three motor cars belonging to the coalfield. The Deputy Commissioner of Hazaribagh and the Superintendent of Police hastened to the place and as the situation appeared uncontrollable, firing was ordered. Two of the coolies were killed while two others were wounded. There were about 900 coolies employed in the coalfield and it was alleged that they were dissatisfied over the question of wages. A reinforcement of armed police was despatched to the scene of occurrence.

15th. First Socialist Conference—Acharya Narendra Dev, Principal, Kashi Vidya-pith, in his presidential address to the first Socialist Conference, said that he favoured an early special session of the Congress, because the present members of the A. I. C. C. did not represent the country as they were elected in 1931. He did not think that they would be justified in insisting that the question of council entry would be considered only by a full Congress session. Defining the Socialist attitude towards the Swaraj Party, he opposed its autonomous existence, as he feared that 'deprived of healthy influences of the Congress the Swarajist organization will in course of time become a pucca constitutional reformist body and will develop a mentality which will run counter to the revolutionary policy of the Congress. "The policy adumbrated by the new party," continued Acharya Narendra Dev, "is quite different from that of late Mr. Das and Pandit Nehru. They had outlined a policy of consistent opposition from within legislatures and were against acceptance of offices. The new Swaraj Party has not enunciated any such policy. It is admittedly a reformist body. It has no obstructive tactics to its credit and the constituent assembly which they propose, to formulate the national demand, seems only another edition of the liquidated All Parties Conference."

16th. Muslim Unity Board's Support for Swarajists—The Muslim Unity Board which met at Lucknow welcomed the announcement advising the withdrawal of the civil disobedience movement and approved of the revival of the Swaraj Party with its programme as outlined at the Ranchi meeting. The Board deprecated all agitation to get the Communal Award modified by the British Government.

18th. All-India Congress Committee's decisions—The All-India Congress Committee met at Patna on May 18 and 19, under the presidentship of Pandit Malaviya. After resolutions paying tributes to the departed leaders, Dr. Ansari moved the resolution accepting Mahatma Gandhi's recommendation in regard to the suspension of Civil Disobedience. The resolution was seconded by Babu Rajendra Prasad. Pandit Malaviya then explained the implications of the resolution to several interrogators. Many amendments were moved but all of them were defeated by overwhelming majorities. Mahatma Gandhi moved the resolution regarding council-entry. The resolution stated that as there was a vast body of members in the Congress who believed in the necessity of entry into the legislatures as a step in the country's progress towards its goal, a Parliamentary Board consisting of not more than 25 Congressmen with Dr. M. A. Ansari as President be formed by Pandit Malaviya and Dr. Ansari. The Board was to conduct the elections to the legislatures on behalf of the Congress and shall have power to raise and administer funds for carrying its duties. The Board shall be subject to the control of the All India Congress Committee and shall have power to frame its constitution and make rules and regulations for carrying on its work. The Board must elect only such candidates as will be pledged to carry out in the legislatures the Congress policy as it will be determined from time to time. Moving the resolution, Gandhi said that though he was opposed to council-entry he was letting Congressmen to contest the elections because those Congressmen, without such work, would be unoccupied from the Congress' point of view. He also pleaded that all should not follow the Council-entry programme. Mr. Aney seconded the resolution. Many amendments, which were aimed at stiffening of the Council-entry programme were moved and speaker after speaker urged the Committee to throw out the resolution. Mahatma Gandhi's reply to the debate, which took him more than an hour, enabled him to defeat all the amendments against his motion. The original resolution was carried.

- 21st. Dr. Ansari's Appeal :—**Dr. M. A. Ansari, in the course of a statement to the press, appealed to all sections of the Congress and to the entire country to lend all possible assistance to the Parliamentary Board set up by the A. I. C. C. to enable it to fulfil the duties with which it is charged. It is incumbent on all Congressmen, he says, to help it to vindicate the honour of the Congress. Dr. Ansari further points out that every Congress candidate for the Assembly will have considerable opportunities for carrying the message of the Congress and stimulating constructive work in the constituency.
- 22nd. Congress purely a Hindu Body :—**A strong indictment of the Congress as a communal body was made by Khan Bahadur Haji Rahim Bux, Working Secretary of the All-India Moslem Conference, in a statement to the Press on the recent political developments. The Khan Bahadur drew the attention of the Nationalist Moslems to the fact that notwithstanding their full support and sacrifices, the Congress had remained and would always remain a purely Hindu body and that Purna Swaraj of its dreams was no better than Hindu Raj.
- 23rd. Bombay Mill-owners' Association :—**Presiding over the annual general meeting of the Bombay Millowners' Association, Mr. H. P. Mody justified the attitude of the mill-owners towards the present textile strike and asserted that they had done everything to better the conditions of workers and would continue to do so, but would not give in to the strikers who stopped work without notice. He hoped that good sense would soon assert itself and that the city and the textile industry would be spared the disaster with which they were threatened through the prolongation of the strike. Mr. Mody justified the Indo-Lancashire Pact and said that, despite all criticisms, he had been left unconvinced. He hoped that good sense would soon assert itself and that the city and the textile industry would be spared the disaster with which they were threatened through the prolongation of the strike. Mr. Mody justified the Indo-Lancashire Pact and said that, despite all criticisms, he had been left unconvinced. He hoped that the day was not distant when Great Britain would rank as a very important customer of Indian cotton. Referring to the Indo-Japanese Agreement, he hoped that it would be honoured both in letter and spirit.
- Police open fire on Bombay Strikers :—*Police opened fire at 11-15 to-night on a riotous mob of strikers. It appeared that strikers about one thousand in number were returning from Azad maidan where they held a celebration over the completion of one month's strike. While they were returning to the mill area they insisted on passing through a prohibited route but the police cordoned and stopped them. Strikers thereupon sat down on the road and all the Deputy Commissioners were summoned to the spot. Persuasion failing, the police, it was reported, charged them as a result of which ten persons were injured. Thereupon the police were attacked with brickbats and flower-pots from adjoining houses. Warning having failed the police opened fire with revolvers and rifles. It was understood that about fifty rounds were fired as a result of which six persons were injured. Even after the firing, attack on the police was made with stones and brickbats from bye-lanes and adjoining house-tops but they were able to disperse the crowd.
- 24th. Extension of the Terrorist Suppression Act to Darjeeling :—**The Bengal Government notified that they have extended certain provisions of the Bengal Suppression of Terrorist Outrages Act to Darjeeling district. The movements of Hindus of either sex between the ages of fourteen and twenty-five, who were not ordinarily the residents of the district, were restricted. Hindus, other than hillmen, between the ages of fourteen or twenty five who were residents of the Darjeeling district were required to provide themselves with identity cards.
- 29th. Bengal Governments' Drive Against Terrorism : Revival of Cottage Industries :—**The Government of Bengal decided on an intensive drive against terrorism. The campaign had already been in progress for some time but a concerted and systematic action were taken now to create an atmosphere in the province in which terrorism may find no more recruits. An intensive propaganda will be made through shows, lectures, pamphlets, demonstrations, etc. to expose the evils and futility of terroristic methods. Any help given by non-official agencies in this direction will be readily availed of and when there are no such agencies, local officers will encourage their formation. Vigorous

action on these lines were taken in many districts notably at Chittagong, Mymensingh, Dacca, Midnapore, Tippera and Bakarganj, the districts where terrorism was more rampant than elsewhere. Village Committees and committees of parents and guardians were being formed in many places by non-officials and officials to mobilize public opinion against terrorism, to make it impossible for terrorists and absconders to infest the localities where they were formed and to advise the local officers in their fight against terrorism. In this drive against terrorism, the services of school teachers were being utilized and they were being requested to keep an eye upon their boys both inside and outside the school hours and to act in close co-operation with the parents and guardians so that they might not fall into undesirable company. In Chittagong the District Magistrate required the Head Masters not to admit students into schools three miles away from their houses without reference to the Magistrate and to bring to the notice of his guardian as soon as a boy was found absent from school and if the boy was found absent from home as well to report the absence to the Magistrate. It was recognised that unemployment furnished a good recruiting ground for terrorism and accordingly Government had before them schemes for relieving unemployment through revival of cottage industries. It was also felt that now there was considerable enthusiasm amongst the people to do constructive work for the country, good use should be made of this enthusiasm. Government were ready with a programme of constructive work which they were pushing through and hoped that the young men who have an inclination for this kind of work will find scope for their patriotic instincts in this programme.

30th. Liberals and the Congress:—While welcoming the decisions of the All India Congress Committee to suspend civil disobedience and to enter the legislatures, Sir Chimanlal Setalvad and Sir Cowasjee Jehangir (junior) in the course of a joint statement said that there were still fundamental differences between the Liberals and the Congress. Liberals, though yielding to none in their desire to secure for their country the largest measure of freedom, were firmly convinced that India's efforts would be better served by becoming a free country within the Empire than by Independence which was the declared goal of the Congress. In conclusion, they appealed to all parties and communities in the country to make a determined effort to solve the communal problem.

Dr. B. C. Ray on the lack of official response :—Dr. Bidhan Chandra Ray, in the course of an interview to "The Hindu" regarding the attitude of the Government of India to the Patna decisions, said that "lack of statesmanship was never so distressingly pronounced as it is to-day in the Government". He condemned the vacillation of the Government in not yet removing the ban on the Congress organisations even though the Congress had abandoned civil disobedience. He added that to keep the civil disobedience prisoners still in jail was unfair.

Police raid Trade Union Office at Calcutta :—The office of the Bengal branch of the All India Trade Union Congress at Calcutta was raided by the police and all literature relating to Trade Union movement were seized. The office itself was locked up by the police. The police also searched the house of Dr. C. Banerjee, the President of the Bengal branch of the Congress Socialist Party, and seized several copies of the manifestoes relating to the All India Trade Union Congress and All India Congress Socialist Party.

JUNE 1934

6th. Drive against Terrorism :—A public meeting was held at Calcutta in which all parties united to condemn the recent outrage on H.E. the Governor of Bengal and to devise ways and means to put down terrorism. The Maharaja of Mymensingh, presiding, stressed the need for propaganda, both on the platform and through the press. Mr. Krishna Kumar Mitra, asked the conference to regulate and control the public opinion which, he declared, fed terrorism. Mr. T. C. Goswami appealed for co-operation between the Government and popular leaders. Mr. W. W. K. Page, President of the European Association of India, advised the conference to take into its confidence the leaders of mofussil districts affected by the terrorist organisation. The conference, after passing resolutions,

appointed a working committee, representative of the various political and commercial interests to give effect to the resolutions.

Terrorist Movement not a Hindu Movement —Kumar H K Mitter, prominent Bengal landholder, speaking at the British India Association, Calcutta, disagreed with the view advanced by H. E. the Governor of Bengal in his St. Andrew's Day dinner speech that the terrorist movement was a Hindu movement. The Hindus were not as a community concerned in the movement, he declared. He said that the campaign against terrorism could be successful only if the sources of its sustenance and strength were found out. He admitted that repressive laws could kill only the symptoms while the main problem was to get to the root of the disease and remove the virus.

Ban on Congress organisations lifted —A Government of India communique stated that in view of the fact that civil disobedience has formally been discontinued and that, as a practical policy under the present conditions, it may be regarded as having already ceased to exist, the Government of India have decided, in consultation with Local Governments, that notifications declaring various constituent parts of the Congress organisation unlawful should be withdrawn. At the same time, the Government wish to make it clear that the special laws passed by the Central and Provincial Legislatures will continue in force. Further if the Congress as a whole or any of its branches pursue activities which are in prejudice of law or indicate any intention to revive civil disobedience in any form, the Government will not hesitate to reinforce the notifications which are being withdrawn. The Local Government will not withdraw the notifications against many revolutionary organisations which were distinct from the Congress though working in more or less close association with its objects during the course of the civil disobedience movement. In accordance with this policy, the notifications against the 'Red Shirt' organisation shall continue in force. The general policy of expediting the release of civil disobedience prisoners which has been pursued for some time past will be continued by the local Governments in the light of local conditions.

7th *Liberals Warn Britain*.—Sir Chimanlal Setalvad, speaking at the annual general meeting of the Western India Liberal Association at Bombay, warned the British Government that if the White Paper proposals were not substantially improved Britain would lose her trade in India and the goodwill of the people. He complained of inordinate delay in deciding upon the reforms and naturally the Indian people were losing faith in the sincerity of the British Government. The White Paper proposals, he said, had not satisfied and would not satisfy any section of the Indian people. He urged substantial modifications of the proposals ensuring the attainment, within a reasonably short time, of the complete control by Indians of their own affairs.

11th. *Mail robbery in train* —A daring mail robbery was committed on the night between Tinsukia and Charali stations on the Assam Bengal Railway in the Down Assam Mail. The miscreants, it was alleged, stopped the train by pulling the alarm chain and, entering the mail van, overawed the mail sorters at the point of revolvers and decamped with a mail bag containing insured articles worth about Rs 4,000. Five arrests were made at Tinsukia. One revolver and some of the contents of the looted mail were reported to have been recovered from the house of one of the arrested persons.

17th *Congress and the Communal Award* —The Working Committee of the Congress approved of the recommendations of the Congress Parliamentary Board in respect of the election manifesto, constitution and rules of the Parliamentary Board. As regards the Communal Award, the Working Committee, in the course of a statement, said that as the different communities in the country were sharply divided on the question the Congress, which claimed to represent all communities composing the Indian nation, can neither accept nor reject the Communal Award as long as a division of opinion lasts. At the same time, no solution to the communal question which was not national could be propounded by the Congress, but the Congress was pledged to accept any solution which was agreed to by all parties concerned. Judged by the national standard, the Award was wholly unsatisfactory.

24th *Rioting in Rampur*.—A serious riot occurred at Rampur in which the police opened fire resulting in the death of one of the rioters and injuries to thirteen

persons. It appeared that a huge mob consisting of a large number of unemployed persons from the city attacked the police station, broke open the lock-up and set free five of their comrades who were arrested earlier and imprisoned. On the arrival of the police party under the Deputy Inspector General of police, the mob attacked them, as a result of which some members of the police party and the Dy. Inspector General were injured. The police opened fire with the result stated above. The military were then called out who restored quiet.

25th. Gandhiji's narrow escape :—A bomb was thrown on what the assailant believed was the car containing Gandhiji on his way to the Municipal building, Poona, to receive an address. Seven persons, including the Chief Officer of the Municipality and two constables who were in the car, were injured. Gandhiji, who was following in another car narrowly escaped. He received the address and the purse. Five persons were detained on suspicion. Gandhiji, in the course of a statement, said that the unfortunate incident had undoubtedly advanced the Harijan cause. He advised Sanatanist friends to control the language that was being used by speakers and writers claiming to speak on their behalf. Gandhiji asked the reformers not to be incensed against the bomb-thrower, but to redouble their efforts to rid the country of untouchability. The following is the text of Mahatma Gandhi's statement after the bomb outrage :—
 "I have had so many narrow escapes in my life that this newest one does not surprise me. God be thanked that none was fatally injured by the bomb and I hope, those, who were more or less seriously injured, will be soon discharged from the hospital. I cannot believe that any sane Sanatanist could ever encourage the insane act that was perpetrated this evening. But I would like the Sanatanist friends to control the language that is being used by the speakers and writers claiming to speak on their behalf. The sorrowful incident has undoubtedly advanced the Harijan cause. It is easy to see causes prosper by martyrdom of those who stand for them. I am not aching for martyrdom, but if it comes my way in the prosecution of what I consider to be the supreme duty in defence of the faith I hold in common with millions of Hindus, I shall have well earned it and it will be possible for the historians of the future to say that the vow that I had taken before the Harijans but I would, if need be, die in the attempt to remove untouchability was literally fulfilled. Let those, who grudge me what yet remains to me on this earthly existence, know that it is the easiest thing to do with my body. Why then put in jeopardy many innocent lives in order to take mine, which they hold to be sinful? What would the world have said of us if the bomb had dropped on me and party which included my wife and three girls, who are as dear to me as daughters and are entrusted to me by their parents? I am sure that no harm to them could have been intended by the bomb-thrower. I have nothing but deep pity for the unknown thrower of the bomb. If I had my way, if the bomb-thrower was known, I should certainly ask for his discharge even as I did in South Africa in the case of those, who successfully assaulted me. Let the reformers not be incensed against the bomb-thrower or those who may be behind him. What I should like them to do is to redouble their effort to rid the country of the deadly evil of untouchability.

28th. Poona Bomb outrage condemned :—Two public meetings were held at Delhi to condemn the Poona bomb outrage. One was held under the auspices of the Sanatana Dharma Sabha and the other under the Delhi District Congress Committee. Resolutions were passed by both the meetings condemning the outrage and congratulating Gandhiji on his providential escape. The Sanatanists said that it was a blot on Sanatana Dharma and not sanctioned by it. The Delhi Municipal Committee also, at its weekly meeting, condemned the outrage.

29th. Inauguration of Congress Election Campaign :—The election campaign of the Congress Parliamentary Board was inaugurated in Bombay at a meeting held under the presidentship of Mrs. Sarojini Naidu. Mr. Satyamurti opened the campaign asking the audience to make their choice between Swaraj or slavery, communalism or nationalism. Justifying the council-entry programme of the Congress. Mr. Satyamurti announced that the Congress Parliamentary Board had decided to capture all councils and local bodies and thus create a new force which would compel the Government to concede the demand for a constituent assembly.

INDIA IN HOME POLITY

JANUARY—JUNE 1934

I. THE YEAR OUT

The bells ringing out the year 1933 had awakened no pleasant echoes of hopes fulfilled; nor did the bells ring in the New Year in cheering notes of happy expectations. The reality of world affairs had been and was still such that nobody would be tempted to put on rose-coloured spectacles to look at what was ahead. The Manchurian war in the Far East, the Bank crisis in America, the Nazi movement in Germany involving as it did racial megalomania, were some of the eruptions of a volcano of seething world-unrest in the crater-cauldron of which the entire structure of civilisation felt as if it were in a melting pot. World economics was still not only in a welter of unprecedented depression, but in an abyss of unredeemable confusion. No crane, no pulley of human device was felt to be strong enough and sure enough to lift the load of submerged values and sunken hopes. The World Economic Conference had arranged spectacular salvage operations, but whilst these brought up heaps of "submarine" rubbish they could show but precious little of what might prove of earthly good. The Disarmament Conferences tended not to disarm but doubly arm mutual distrust of nations. Germany and Japan and Soviet Russia were still, virtually, out of the League of Nations. U. S. A. had not been willing to join what had been one of the fondest and wildest dreams of President Wilson—an international instrument that should make democracy safe for all time. Italy was still in the League, but she was a "sulking" member. Signor Mussolini in Italy and Herr Hitler in Germany bothered but little about the League and cared even less for democracy. The setting sun of the League prestige lengthened the shadows of France and England, and their shadows dominated the entire aspect of international situation, in so far at least it was circumscribed by the League horizon. Mr. Lloyd George, one of the arch actors in the war and post-war drama, thus summed up the position in a recent string of wizard phrases which, however, were not wide of the truth: "Mankind is getting gradually nearer the brink, year by year, revolution by revolution, conference by conference, and it is near enough to singe its wings." Primeval Night seemed to be creeping over earth.

II. THE CONGRESS SPIRIT

Nor was the Indian firmament relieved by a single blue, sunny spot. The Congress offensive of civil disobedience, both mass and individual, was practically "broken", which, however, did not mean that Congress itself was dead or dying. The failure of the Congress offensive was not followed by genuine peace or even by any widely felt sense of relief.

As we have explained in our previous Introduction, the Indian political situation was brought under control by forces acting not under "normal temperature and pressure" as we say in Physics, but under conditions of both abnormal temperature and pressure. The Congress offensive which disappeared or nearly disappeared as a kinetic factor was simply repressed into a latent, potential form which, from the Government point of view, should have been appreciated as more rather than less dangerous. Any statesman, of Whitehall or Simla, who would lay the flattering unction to his soul that the Congress had broken its backbone and would not be able, at least in the near future, to stand erect again, was surely living in a fool's paradise. The Congress spirit which represented the growing determination of the gradually forming Indian nation to be the master of its own destiny, and to implement that determination by creating sanctions sufficient unto the purpose, could, obviously, never be crushed. That spirit might of course vary its form and also the mode of its function from time to time. In other words, it might change its policy and plan suitably to the conditions and circumstances of its actual function. So a campaign of non-cooperation and boycott might be followed by a spell of Swarajist "obstruction" from within the Assembly and the Councils; and mass civil disobedience might be followed by a "sweeping the polls." The important thing to note is whether it is still vital and still virile in its changed function. If it be so, and to the extent it is so, it still remains a power, for good or for evil, to reckon with. Its late defeat in that case is no index and no guarantee of its future discomfiture. On the contrary, the very fact that it can fight equally well with constitutional and unconstitutional weapons, that it can carry large masses both in non-cooperation and in election, that it can swamp the jails as well the Councils, is a fact which ought to be appreciated in its correct proportions and dimensions. One may not like some of its forms and methods, but there is no denying the fact that like the fabled Phoenix it bears a mysterious life formula which is not only beyond human ken but also beyond human contrivance.

III. "SPLIT AND FACTIONS"

The fact that the Congress had been showing a tendency to 'split' in too many 'factions' was also to be appreciated for what it was really worth. The 'splitting' was quite a natural and normal process, and the 'factions' equally natural and normal products thereof. A Right Wing, a Left Wing and a Centre would be the natural morphology of any big, vital organisation. Where such a morphology of diverse views and tendencies is not given or not articulate in an organisation, we are to infer three things. First, that the organisation in question is still an amorphous mass which awaits being informed into the definite pattern of a living body. Or that it has disintegrated and degenerated into an amorphous mass after having functioned as a living pattern presenting a diversity of organisation. In other words, that it is now a dead and decomposing body. Or lastly, that it may be, for the time being, "possessed" by a single influence, whether of an individual or of a group, which suspends the normal and legitimate working of all the

diverse "limbs", and in single sovereignty "runs the whole show". In other words, all the powers that be, have abdicated in favour of a supreme dictator. In this last sample, the virtual one man show may be more or less masked under a ceremonial cloak of false democratic constitution. A legislature with the usual right, left and centre, a cabinet with the usual comfortable distribution of portfolios and sharing of a so-called joint responsibility may still be there under a dictatorship. Under its spacious wings autocracy may cover a multitude of fictions. The proposed India Bill based on the J. P. C. Report is likely to prove a case in point.

IV. IRRESPONSIBILITY OF INDIA

In a recent speech in the House of Commons Sir Samuel Hoare enunciated a maxim of political philosophy with special reference to India which may be readily conceded to be the acme of wisdom. The greatest danger in the Indian situation is not civil disobedience; nor is it the terrorist menace; nor is it any thing else usually thought of in this connection. What is it then? It is the irresponsibility of India. The safest and surest insurance against this danger is thus the grant of responsibility. Responsibility would teach Indian politicians to be "responsible" in office or in opposition. Lacking responsibility they have lacked capacity for constructive criticism and statesmanship. Very true. But would the White Paper or the J. P. C. R. which superseded the White Paper usher real responsibility? The Secretary of State's office is often, and not inaptly, described as the gadi of the Great White Moghul. The proposed India Bill is surely not calculated to depose him from his gadi. Not at all. On the contrary, the Indian Viceroy and the Governors are to be invested with powers which will make not only Mussolini's or Hitler's mouth water, but make the late Czar of all Russia turn wistfully in his grave.

V. "ONE MAN SHOW"

Let us go back to the Congress. Since Mahatma Gandhi's moral ascendancy over the Congress, its history has practically been "one man show." Mahatma Gandhi has been the Congress. This has proved to be not an absolute but a preponderating good. The amorphous mass of gradually forming Indian political consciousness and steadily growing political travail has been fortunate in that it has been able to organise itself into an efficient machinery of national service and national effort round a nucleus of such moral and spiritual potency as the life and personality of Mahatma Gandhi. It would most probably have remained a more or less amorphous and chaotic mass, and to that extent an inefficient and ineffective machinery, if such a powerful centre of inspiration and lead, co-ordination and control had not been given. It has facilitated and hastened the process of efficient organisation just as electric charges facilitate and hasten the condensation of water vapour and the formation of rain clouds. It has also arrested the process of premature disruption in which centrifugal forces prevail over those that tend to keep to the centre, in which elements make for war rather than for alliance.

VI. DUMMY GODS

But an arrangement like this, of unquestioned beneficence within limits and up to a certain stage, has a tendency to outgrow its utility. In this way dictatorship which proves a strong rope to raise the "drowned" hopes of a country may prove an equally strong rope to hang them with. The world had, has and will have need of dictators, that is, men and women whom old-fashioned people used to call heroes but whom we now call supermen. In India we call them Yugavataras—men who start epochs and cycles and make history. We have such men and women moving in different spheres—religion, social and moral reconstruction, in economics and politics, in science, art and literature. But Nature's plan will not work with supermen only. The gods who give all their powers to the Supreme Goddess when they fail to cope with the Arch Enemy, must take them back, when the Arch Enemy has been laid. Failing to take them back, they remain dummies and not gods.

VII. "THE CENTRAL SUN"

The gods of the Congress have indeed shone mainly by the light and moved mainly by the power of the central sun of Gandhiji's personality. Still they are by no means all dolls and dummies. A C. R. Das or a Pandit Motilal was a luminary that would not only adorn the political firmament of any country, but profoundly influence the destiny of any people. Such a god never shines in altogether borrowed light or moves in altogether delegated power. A Pundit Jawharlal or a Subhas Bose to-day—to name only two prominent stars in the political firmament, but there are also others—have never been and will never suffer themselves to be dolls and dummies. They have been good chelas, good and faithful, without allowing themselves to be "made in the image" of the Guru. Their voice has not always been the voice of the Master. They have schooled themselves into discipline but not into acquiescence by the Sabarmati or by the Pondicherry School or by any other. Possibly the one has Moscow brains or substantial parts thereof inside his Indian skull; and the other a Viennese liver in his Hindu abdominal cavity. But such gods have been the exception and not the rule. The common run of Congressmen have had their own lights not only dimmed but practically extinguished by the light of the central sun. They would not only hide their own lights under a bushel of modesty but smother them under a pall of surrender. The pall has fortunately been a moral pall which has rendered the surrender into a kind of passive dignity. The pall has not spread itself over a coffin of dead political mummies. Live men and women have been under a moral spell without being either mummies or dummies. Those that are in reality mummies and dummies and there are lots of them in any country—have been made to stimulate life in the magnetic field of the central sun like dead frogs made to twitch their legs under the galvanic current. In other words, countless men and women, who under normal conditions of Indian temperature and pressure would, politically, count for nothing,

have been so galvanised by the central current as to become positive dynamic factors, exerting their own pull in the general Indian advance. They have not been merely dead stone and gravel lying inert about while the caravan is moving on. They have at least been the dogs barking. The Congress would not conceivably be the power it was and the show it was without such mass electrification. High voltage wires are certainly needed for mass electrification in any country, but workers and their foremen must beware of them—lest they be electrocuted themselves.

IX. CENTRE DOMINATING THE WHOLE SPHERE : ITS ADVANTAGES

The above arrangement in which the centre dominated the whole sphere has had its advantages as well as disadvantages. We need not weigh the one as against the other. Under the influence of the centre, the sphere has acted as one more compact and more perfect than would be possible under existing conditions of a politically "unborn" India being born into nationhood. The Congress has been the one organised political body of any importance functioning in India. Its all-India operations, whether constitutional or otherwise, have been characterised by that forcefulness of purpose and solidarity of plan which are the marks of a great and efficient organisation. All the world has agreed, and even the Government has, perhaps, inwardly conceded, that so long as India can evolve a machinery for national effort on a scale so massive and so efficient as this, she need not give herself up as lost. The die-hard plea so airily trotted out now—that India is too hopelessly divided in her religious and secular interests to possess a well-knit national life and, therefore, deserve a well-advanced constitution—is itself a counter suggestion and a counterblast to the Congress claim that India is already a nation to which the right of self-determination can no longer with justice be denied. The recent communal emphasis and communal allotments are some of the imperialistic devices to drive a wedge into the undeniably setting cement of Indian solidarity. Crushing the Congress has thus been both the fondest dream and the cruellest self-deception of those who would fain postpone to the day of doom Macaulay's proudest day of India's British connection. The Gandhi-Irwin Pact by which the Congress had been admitted into her rightful status was simply gall and wormwood to these "friends" of India's dumb millions. When the so-called National Government virtually reversed that policy, tore up "the scrap of paper", and was determined to hunt down the "rebel", did not these minstrels of high imperialism hear a whole cage of nightingales singing in their hearts ? The entire show of the R. T. C. was also by pre-established disharmony an arrangement to ignore, and if possible, disconcert, the Congress. That part of Indian being that had, politically, organised itself to any degree was left out. The residual chaos of jarring, warring elements was given a carefully wire-pulled sway to create all the noise and work all the mischief that it did. The man who could "deliver the goods" was of course let in later only to find himself flounder in the communal chaos that reigned. He was there to do business on behalf of the Congress. But the claims of the "House" Gandhiji represented in London were studiously turned down. His

position as a real plenipotentiary was deliberately sought to be swamped by a mass of bogus claims and false pretences. All these manoeuvres which, after Gandhiji's landing in Bombay, culminated in a "fight to a finish" with Ordinance-mounted big guns, showed that the Congress was no mean, negligible thorn and Government did not fail to take a correct measure of the Congress as an actual or potential menace. Both Lord Reading's Government and Lord Irwin's had not looked at the Congress menace through magnifying glasses when the latter had actually made the Pact and the former had come perilously near to making it.

X. THE FOUNDATION OF DEMOCRACY

Now, the Congress has been such a power mainly because of the cohesive, centripetal influence exerted by the "central sun". It is because all or most of the gods of the Indian political pantheon have merged their being, for the time being, in a "Supreme Goddess." By reason of this both the "war councils" and the "peace conferences" of the Congress have been enabled to work as practically homogeneous bodies with virtually an undivided mind. The majorities in the deliberations of the Congress bodies have been assured, and their conclusions foregone. Knowing Mahatmaji's views, one knew the views of the Congress. On all matters of controversy the majorities have been big enough and the minorities small enough to enable the Congress to steadily ploughing the troubled waters of a subject nation's politics without being tossed about by balanced or warring elements. In a vast and variegated country like India, which has lost political coherence and compactness for a long time, the adhesive and cohesive forces of a political organisation are naturally weak as compared with the forces that tend to sunder and disconcert. This means poverty of organising capacity. This makes institutions on a democratic basis, more or less unsafe in India. Which does not and need not mean that India lacks cultural and spiritual democracy and suffers from a constitutional unfitness for having or developing any other kind of democracy. For, it must be remembered that the foundations of real democracy are cultural and spiritual, and that where these foundations are given, a democratic edifice with economic, political or other wings can without insuperable difficulties be raised.

XI. CULTURAL HOMOGENEITY OF WEST

It has often been asserted that the western countries form a more compact cultural whole than the countries of the East. This is true in a certain sense. This is not true in the sense that the West has, generally, a steadier and clearer "scientific outlook". There are of course individuals in the West also in the East who have the scientific outlook. As regards the masses of men, the east has had, though she is now losing, a truer scientific outlook than the West. The western countries have cultured science and scientific methods and carried them to the fields of industry and art. By reason of such application of science to the peripheral organs of life, those countries have evolved no doubt a kind of cultural dree uniform, which, however, does not mean either

that the West has evolved a truer scientific outlook upon life and things than the East or that it has a deeper soul unity and heart unity. If by scientific outlook we mean, as we should mean, a clear understanding and just appreciation of the real values of life and the universe, then the paradox that the "scientific" West is less scientific than the "mystical" East must be granted as true. An unsophisticated, untutored Indian rustic knows and believes that there is a just and wise God of the universe, that His Goodness is manifest in all things, that the present life is but a passing episode in a vast scheme of life immortal in which man must reap the harvest of his own karma, sweet or bitter, patiently and uncomplainingly, knowing that the whole drift of the beneficent purpose of the world is to lead him nearer and nearer his goal of perfection, and that the path of true evolution and progress must lie through self-control and self-purification, through service and love, through faith and vision, and through contentment and peace. Any one who knows the "mass" (not excluding the Harijan), knows that the spiritual instinct and vision which is above stated is the very vital breath of its cultural nostrils, which it draws in from an ample circumbient atmosphere of Tulsidas and Kavi and sundry immemorial cultural institutions. A Kumbhamela or an Arddhodoya-yoga brings up to the surface in the case of the Hindu the vast deeper beds of affinity that are commonly latent and subconscious. The mind may be clean though the body may wallow in filth. the soul may be wise though the intellect is ignorant, the heart may love though the flesh suffers, and the spirit may hover and aspire though the figure stoops and crawls

XII. BED-ROCK OF CULTURAL KINSHIP

Thus it would appeal that underneath the surface diversity of races, religions, creeds and dialect, there are deep-laid bed-rock strata of cultural kinship of the Indian millions. Poverty and pestilence, ignorance and superstition are the "faults" which conceal the inner, fundamental bed-rock, and give us an altogether inverted idea of Indian cultural realities and national potentialities. We who have developed a new thirst for imported wines and other inebriating drinks, and, rather unsobriety, thronged at the bar where such drinks are sold, have, in our benighted camouflage cultural carousing, forgotten our own poor kith and kin at home, and taken up the drunken cry of our host at the bar inciting his crazy customers to foul their own nest. Our understanding and appreciation of the Indian realities are, therefore, commonly neither sober nor informed.

XIII. THE CONGRESS MOVEMENT: ITS FORTE AND ITS FOIBLE

The Congress movement has been the occasion for a considerable mass awakening and mass response, not primarily or even mainly because it has been a movement inspired by a political and an economic objective, but because it has sought to bear the character of a moral and religious movement with all the exacting terms of the first and little or none of the narrowing, sectarian tendencies of the second. By its insistence on the cardinal virtues of all ethics and religion, namely, non-violence and truth, it has tried to lift Indian national effort not only to the height

and breadth of an international endeavour, but to the spiritual transcendence of human fulfilment. Such a movement accords beautifully with the fundamental tendencies of the "Seed Power" of Eastern, especially, Indian masses. It is the same power that makes the response of the apparently inert and pulverised Indian masses so electrically spontaneous and so incalculably vast on an occasion like the Kumbhamela or the Arddhodaya-yoga. Now, there is no gainsaying the fact that the Congress movement has been such a "big drive" chiefly because of the influence of the one man who has inspired it and controlled it for the last fifteen years. It is because that one man has been "the Mahatma" whose "darshan" itself is believed by countless Indian masses as purification. This has been its *forte* as well as its *foible*. Mahatmaji and his many staunch followers have indeed sought to make the movement a movement essentially of moral and spiritual regeneration, but they have had political and economic objective and programme also of a more or less circumscribed nature. In other words, they have attempted to develop a fight against foreign domination and exploitation with materials which are not good enough nor ready enough for the purpose. Modern political and economic battles are not easily fought and won with weapons such as are provided by the Sermon on the Mount or even perhaps by the Bhagavad-Gita. Generations of Tulsidas and Kavir and so forth have deadened the pugnacious, bellicose instincts of Indian masses, and nourished quite other instincts of an altogether different kind of moral and spiritual worth. These other instincts, inspite of the broadcast war-gospels of many a Nitschze, old or modern, and in the face of barbaric war dances to the tune of many a modern flaming war-orchestra, may still be perceived to be the right instincts of self-preservation and salvation by the masses of humanity all the world over, who, like dumb-driven cattle, are being led helplessly to slavery and slaughter in the name of Nation or Democracy. But these other "lamb" instincts are not articulate enough and effectively organised enough in any country to withstand the ravages of the blood-thirsty packs of wolves and tigers that are everywhere roaming at large. Lacking effective organisation, the instincts of sanity and amity, human good-will and co-operation, are to-day, apparently, unable to cope with the gigantic world evil of greed and hatred. Yet salvation lies through the pursuit of those instincts on a mass scale. In India an experiment on these lines has been attempted.

XIV. A MIXTURE OF SUCCESS AND FAILURE

The experiment, as it should be expected from the given assemblage of conditions, has been a mixture of success and failure. Those who think that the Congress fight on non-violence method has totally failed, only take stock of the husk that has been noisily blown off, and not of the grain that has silently fallen through the sieve of Nature's unsparing vital economic. The Indian masses have found out their springs of strength and also the channels through which these can be pooled together. But they have also found that their springs are not yet ample enough and the pools deep and dependable enough to make their political and economic programme float and ply to its desired haven of fulfilment. In other words, "Soul Force" has not yet proved

forceful enough to work as a lever to raise the load of India's sunken politics and economic well-being. The programme which has been alright in other respects, has been found to be unequal to the task of bringing Swaraj within a year or even within a decade. Which, however, does not mean that it has put us off the scent and pushed us off the track. It does not even mean that the moral and spiritual side of the movement has been a drag retarding progress along the track leading to political and economic Swaraj. There is no short and safe cut to Swaraj steering clear of the scylla and charybdis of soul force and soul purification. Nor can the Sabarmati and Pondicherry rudder and compass be safely dispensed with. A pure politico-economic or social device cut off from the sources of Indian mass motive power shall not generate sufficient steam to propel the engines nor put sufficient wind into the sails. The Russian or Chinese or any other analogy has commonly been stretched far beyond the limit of its logical relevancy. The policy that has sought to impart a moral and spiritual character to the Indian national movement, and has laid equal stress on the constructive and fighting sides of the programme, has been, in our judgment, a wise and far-seeing policy. It has worked up the sources of Indian mass motive power on a scale and to a degree unprecedented in the history of recent political activity in India. By it India has covered within the space of a decade and half the track of centuries. It has made the bones of Indian politics instinct with life. Not only so. It has made a world wallowing the slough of moral despond hope. And Mahatmaji has been the main director of this process. He has made a people, politically paralysed and economically prostrate, find its legs. By rousing and harnessing its own native strength, he has shown it how to serve and how to fight.

XV. THE DUAL PROGRAMME

But it has not been long and assiduously apt enough in its training camp. It has picked up the art of a political and economic fight but has not yet adequately mastered it. Its course of preparation has not been through enough to confer on it and alright preparedness for winning or retaining Swaraj. To attain to it, it has, of course, not to unlearn the lesson it has learned during the last 15 years under Mahatmaji's tuition. The process has to be intensified, supplemented, balanced and perfected. Those who think that a programme within the Assembly and the Councils coupled with a rural reconstruction programme will make matters improve, should be given a chance. The dual programme, with due drive and balance, is expected to be helpful. The Simla snows may not forthwith thaw in the opposition heat in the Assembly, yet it may form vapour clouds that may roll over the length and breadth of the Indian welkin and result in genial showers growing a badly needed harvest of mass political education. Genial showers are indeed welcome. But unless great care is taken and much labour expended, such showers are as likely to grow noxious weeds as they are likely to grow useful crops. Greatest care ought to be taken in the preparing of the soil, in the regulating of the ways and means of irrigation, and in the selecting and distributing of the seeds and manures. This is the construc-

tive half of the dual programme. This constructive programme must be pushed through—whether on the lines laid down by Mahatma Gandhi or on any other we do not here discuss. The attitude of the Congress in relation to the legislatures has varied from time to time from non-cooperation to “obstruction”, and from obstruction to responsive cooperation—which Dr. Moonji calls the Sanatan Law of Nature—that attitude may eventually change. The constructive scheme may also require variants some of which may cut against the grain of Gandhiji’s set and pet programme.

XVI. HINDU-MOSLEM “BOGEY”

Some people like Dr Moonji may set their face against the Hindu-Moslem “bogy” which Gandhiji in particular is supposed to have bolstered up into an absolutely exaggerated and overshadowing importance, before the alter of which all vital interests must be laid low and, if necessary, sacrificed, and the propitiation of which must be bought at any cost, however ruinously vital. This school stands for “letting the Mussalman alone” as the gallant spokesman of the Hindu Mahasabha above referred to has on a recent occasion stated. Let the Hindu try to work out his own salvation without either quarrelling with his Moslem countryman or offering inducements with a view to buying up his support. If, for instance, his Moslem countryman thinks that it will be best for him to travel in reserved communal compartments in making his political journey, he (the Hindu) has no right to tear up the reservation labels he has thought fit to arrange for and force the Moslem to travel with him and others in mixed cars. According to this school of thinking, the policy of making pacts and bargains with the Moslem, the Congress insistence on the consummation of Hindu-Moslem entente as the necessary condition precedent to the attainment of Swaraj, Mahatmaj’s “blank cheque”, communal bungling and so forth at the R. T. C. and the subsequent solicitude of Congressmen in general to “patch up” an agreement with the Muslims—are factors that, in collaboration with deeplaid dihard mines have blown to the winds the cement concrete of the community of Hindu Muslim interests that has been slowly but surely setting for the last six hundred years in India. They long fought each other, but they also came to gradually appreciate and cherish each other. The recent communal emphasis, communal bargains and pacts under unnatural conditions and on inequitable terms, and the Communal Award, are some of the mine explosions by which the solid, substantial piers of the old, tried bridge spanning the chasm have been shaken and, in part, shattered. So the engineers may to-day perceive the mistake of some of their late operation and seek to repair the damage done. Conceivably, Dr. Moonji may live to lead a new batch of bridge builders. Possibly, he may be able to achieve by using an exclusive “Hindu” brand of hard material what the pact-makers have so far failed to achieve by using their soft, flimsy, elusive confabulation stuff. If that be so, the constructive plan will be modified, with important repercussions and readjustments in all directions, with respect to that item. The Hindu and the Mussalman and the Sikh will then settle down to make up in earnestness the differences by creating requisite sanctions,

which they are now seeking to patch up by diplomatic negotiation. Differences such as these cannot be made up even by fasting oneself unto death. They can only be reconciled through mutual understanding and appreciation as free, capable, responsible partners. The R. T. C. negotiations were without basis because they did not meet there as free, bonafide partners. What you gain by "negotiation" is insecurely held and may be easily lost. Reckoning has no value before each party has "played the game."

XVII. UNTOUCHABILITY QUESTION

Not only as regards this but also as regards other items, it may be possible to think of unorthodox Congress lines. The Untouchability problem is an example. Whilst no sensible man would like to linger in the old, rotten rut, many should hesitate before they strike into the commonly trodden Gandhian paths. Some have complained that the Harijan movement is three quarters a political movement and but one quarter a social, economic and educational movement. Of course political good is not something isolated and isolable from the organic whole of national good. Still politics is a game that is not often, if at all, played with unloaded dice. You can give your Harijan dice a fictitious "weightage" which you know they do not actually have or which you do not even like them to have. You pretend to give the Depressed Classes an heightened social status with artificially improvised props and an enhanced economic credit with falsely inflated values. The Depressed Classes badly require being raised socially, economically and politically, but not with the aid of hastily improvised artificial props. Props are generally improvised and improvised with haste with ulterior objects in view. It is like creating and swelling the roll of voters by paying their subscriptions out of party funds. They become thereby voters for the occasion. Such devices naturally suggest themselves if you dangle before your own eyes or those of others Swaraj or Power "in a year". There is such a thing as greed for swaraj. It is greed when you jump at it without taking a correct measure of your own strength or fitness. It is greed when you clutch at it without paying for it. It is greed when you bargain for it without creating sanctions for it. If we be possessed by greed, we shall hastily improvise qualifications where none yet exist and artificially manipulate sanctions and inflate them where as yet they are inadequately small. This greed has been one of the besetting sins of our modern movements, in India and outside India. We wish to usher the millennium overnight and be in full possession of the Kingdom of Heaven on Earth upon the break of day. Heroic measures naturally suggest themselves, steam-rollers are called into requisition, and raging and tearing campaigns are launched upon. By revolution overnight we wish to cover the track of whole ages of evolution. Soviet Russia wanted to usher the millennium overnight by red revolution, and now essays to change not only the face of the earth but renew the heart of the world by its Five Year Plans. Hitler in Germany, Mussolini in Italy, Roosevelt in America are all after the same pattern. Five Year Plan has become the fashion. In following the fashion we, not unoften, not only take leave of realities but smother them and grind

them out of shape. Realities are so uncomfortable in the cloudland of theory and so recalcitrant in the utopia of dreams ?

XVIII. GRIT AND GREED

We in India to-day have not escaped this modern mania for mere magnitude. Realities have of course to be treated, controlled and moulded. That has to be done with grit but not with greed. Idealism has its need. We must shoulder and raise, and not simply grab and brag. Untouchability has to be removed, but we have to pause and consider whether we have not begun at the wrong end and stressed on wrong points. It is soul-touch and spirit-touch with the masses that we have either lost or have been fast losing in these days of democracy and international outlook. The gulf between them and ourselves has been widening in every direction. We and they have been living and moving in separate worlds fast receding from each other. Even our Gandhi cap and spotless khaddar have not, generally speaking, made us and our Harijan brother closely approach and hug each other. We have but forged few links of love between him and ourselves. Many good old links have been broken, and we have taken precious little care to have them renewed or restored. Given soul-touch, the essence of human fellowship and cooperation is given. That being not given, any amount of mere body-touch will not produce it. Not only so. Where soul-touch is there, it does not matter whether or not there is body-touch also. Insistence on body-touch itself may tend to befog and betray the vital issue. A new orientation is thus needed in the prosecution of the removal of untouchability work. The baby of Swaraj will not be born in a common kitchen or even in a common temple : Await the throes of its birth in thy Soul.

XIX. SOCIAL AND RELIGIOUS LEGISLATION : "SLEEPING LION"

The same remarks apply to actual or prospective legislation affecting social and religious customs and institutions of the conservative sections of the Indian peoples. Government may have their sympathies and antipathies, but they are pledged to a policy of neutrality in such matters. Whilst this neutrality should be religiously observed by the Government, the so-called progressive elements in the country should also, in our opinion, revise and reform their attitude with respect to such questions and the method of tackling them. The progressive elements are to-day better organised in the modern "fighting" sense, better provided with the weapons of both offence and defence, than the conservative sections which, never-the-less, form the overwhelming majority. And this majority is not simply or mainly one of dead or dying number. The modern art of propaganda (including the press and the platform), the strategy of capture and exploitation, may have been more effectively mastered by the former than by the latter. So it is their voice and not that of the latter that we commonly hear. And it is they and not the latter that loom large on the election and legislative screen. They are to-day on their vantage ground. But it is well to remember that the surge of forces that have carried them to their position of vantage may retreat sooner than one imagines. Possibly, it is retreating already.

Sensible people all over the world are waking to a perception of the bottomless pit into which they have been hurled by those forces, and are "dying" to fling them back or at least to redirect to less abysmal objectives. The old enthusiasm for modern objective, modern strategy and modern armoury is distinctly on the wane in the masses of men. If the present order should change releasing reformed and redirected forces, some of the existing ideas and institutions upon which we have so long been wont to set high values may be let down, whilst some others that have been so long looked down upon may rise and hold the ground. Indications are already there of the Wheel of History beginning to take a complete revolution. The up will then be down and vice versa. The so-called progressivist may then be "a back number". Conservative India, the much-maligned Sanatanist, may rise as "the sleeping lion" not only of the East but of the world. For, conservatism may mean, under certain circumstances, repose of stabilised strength and balance of developed organisation. It may mean keeping one's feet in a senseless drift, keeping one's nerves while one finds oneself on the fatal brink to which Mr. Lloyd George refers. We should therefore think twice, thrice and many times before we resort to the pastime of feeding the "sleeping lion" through nasal tubes of legislative, social and religious reform. Nasal feeding has been attempted many a time during the ages-long life-history of the Indian Lion. Those who attempted the process ultimately found themselves inside the lion's spacious belly. India has absorbed and assimilated many foreign elements without losing her Seed and Form pattern. If, therefore, any feeding has to be attempted at all to-day, let it be done after rousing the lion and with his consent. Let us be sure that he likes it and it will suit him. The progressivist should approach his task leaving aside his superiority complex—the attitude of the doctor saving his dying patient, of the shepherd bringing back into the fold his lost sheep.

XX. VARIANTS TO ORTHODOX PLANS

Some variants may thus have to be thought of in relation to the orthodox methods of Congress, Nationalist, Hindu Mahasabha or Moslem League and Conference conception and execution of national plans. The progressive elements have been busy airing their plans in the press and from the platform. The sleeping lion still appears to be snoring. He has been called by various names. He is carcass-eating Indian Kumbhakarna, for instance. The lion has not yet risen to name himself and paint himself. We have allowed him to draw his own picture.

XXI. BETTER ORGANISATION

In the fight between the Congress and the Government, the latter won because it was a better organised body with resources at its command which were, and still are, ampler and more dependable than those former could draw upon. The Congress movement has the character of a flood. The causes and conditions of its rise and subsidence are subtle and, in the main, uncontrollable. We cannot foresee when it will come and how it will come nor when and how it will subside. Tides are governed by the phases of the moon. But there are no

visible and calculable phases of the Congress "moon"—not even the magic power of the Mahatma—by which these tides in the affairs of the Indian nation appear to be governed. The course of any Government does not of course run smooth, still it is relatively steady and settled. It is especially so in the case of Indian Government. The supply and distribution of its "flow" are broadly definite and calculable. It has less to depend upon freaks and accidents. It has less to stand or fall with the ups and downs of mass emotions. It is less susceptible to the fickle fits of crowd psychology. All this makes it a more dependable machinery for offense as well as defense. Of course it has its drawbacks too. But we need not speak of them. The Congress also worked admirably as an organised body. But the organisation in its case was more impressed upon it than naturally evolved out of it. It was more in the nature of a "flash" organisation. Its successive "War Councils" were the models. The central magnetism of Mahatma Gandhi had an uncommon large share in the conjuring of the organisation and for its phenomenal activity during the Congress "boom" periods. When the central influence was removed—and the Government had learnt its lesson by removing Mahatmaji from the field almost at the very start—or when the central influence flagged either through inflexibility or bungling, the Congress machinery showed signs of going down the curve of efficiency. The vigour that had been put into it gradually ebbed away, the order that had been impressed upon it was crumpled up. After the central sun with his principal planets had been shut out from their field of action, the lesser satellites and asteroids could ill manage to withstand the approaching collapse and chaos. Leaders began to feel "war-weariness", and the rank and file began to feel that they had lost nearly all their grit and go. Of course, the persistent "blockade" maintained by the Government and the general situation in the country, together with the operation of certain cosmic factors mysteriously shaping the curve of earthly events, afforded a part explanation of what happened. But the crux of the explanation lay in the fact that the Congress had set about achieving an end for which neither its organisation nor its driving power were adequate and sufficient in view of the conditions, both lay and official, that actually prevailed.

XXII. THE CONGRESS MACHINERY

It was fighting one of the most powerful and perfected of State machineries under political and economic conditions, perhaps the most depressed in the world, with a machinery but hastily improvised and put together and with a motive power that could not be let in or let off or otherwise regulated by any dependable lever of control. The Congress foundry was able no doubt to turn out some of the biggest guns for mass field operations. But the guns were neither tested nor standardised. Nor were the powder and shot they used. There was the risk at every critical moment of the guns bursting and the powder failing. The Congress had not yet wrought itself up to the requisite level of preparedness or to the requisite degree of efficiency for doing its job with thoroughness and expedition. Of course what it was able to actually accomplish was great—indeed greater than one should nor-

mally have imagined possible. It should have been both an interesting and instructive experiment to try to achieve as much or nearly as much *minus* Mahatma Gandhi. That would have shown its innate strength as distinguished from what had been conjured up and induced by the magic of Mahatma. The Congress *plus* Mahatma and the Congress *minus* Mahatma is an interesting study. The Congress had within it developed a Left-Wing and an Extreme Left-Wing which would have tried the experiment if it had been possible. No party of course would refuse to make use of or "exploit" the tremendous influence which Mahatma radiates from himself. Still some "advanced" parties might think that Gandhism had had its day of usefulness which the Congress, or the nation for the matter of that, had long ago outlived as regards the working out of its political destiny. From politics he should either retire or be blackballed. His proper calling should now be social and humanitarian work. His continued dominion over a field where his usefulness has been exhausted is a positive bar to further effective advance. This school of thought is perhaps more vocal to-day than it was yesterday. It has its variants. It is not, however, as yet the majority view. This latter view still regards the Mahatma indispensable. Whether in "office" or in retirement, he is still the Congress. This may not be an ideal arrangement or even an arrangement without a handicap this way or that; but it is the best possible arrangement under the circumstances. Heroes may seize in a generation what nations left to themselves would take centuries to come near. Heroes are now and then sent unto our planet and they take up in their hand the crawling snail of natural evolution and matter-of-course change, and make it grow wings by which it rides the storm revolutions and cataclysms. Dictators play a vital part in the economy of human history. They must appear and play their part when the situation is of sufficient urgency to call upon them to do so. In India it has been given to Mahatma Gandhi to take up in his hand the "crawling worm" of the Indian National Congress and make it grow wings. It has been growing wings of late; fluttered them a little during the last decade or so; it has also dared the storm now and then. But it is not yet a full-fledged South-American condor breakfasting at the mouth of the Amazon and dining at the mouth of Congo. India still hath need of Gandhi, though he, as a majestic star, may dwell apart. Gandhiji in retirement, like Gandhiji in Yerveda, will yet prove a greater power than Gandhiji actually in the field. Let us hope so.

XXIII. INTENSE EDUCATIVE PLANNING

We have put above the view of the common run not only of Congressmen but also of the Indian politicals. For our own part we think that time has already arrived when we should do by cutting continuous irrigation canals and sinking sure wells what we have so far been doing by floods and inundations. Floods and tides when they come are fortunate if we can "take" them and turn them to use. But floods and tides are, generally speaking, their own masters. We can rarely engineer them, and we can never keep them when they are minded to go. And when they go, we often find ourselves left stranded in sands and quagmire. An intensive educative planning throughout the length

and breadth of the country, and particularly in the villages, should engage our thoughts and interest more than anything else. In other words, we must concentrate on the work of planning and laying the foundations. So long we have essayed to plan and build practically without foundations. We thought that foundations were there sure enough or that they would take care of themselves. We have permitted ourselves to be possessed by destructive fits or constructive spells without having consulted the foundations or even perhaps in contempt for them. We should now mend our ways. For this we must strike into paths left practically untrodden though not quite uncharted by the orthodox Congressman or Nationalist. We should think of educative planning less in terms of picketings and hartals, elections and capture of votes, even mass meetings and processions than in terms of the more cardinal conditions of economic, social and cultural redemption of the masses. And in thinking of these we should think less of foreign and acquired methods than of home and "constitutional" ones.

XXIV. THE BIHAR EARTHQUAKE

The latter part of the Introduction we propose to devote to news rather than to views. The most momentous as well as the most stunning news of the first month of the year was the terrible, devastating earthquake in Bihar. The Finance Member made a statement in the Bihar Council on Feb. 14 on the measures taken or proposed to be taken by the Government to bring relief to the stricken country. We quote a few lines from that statement. "Such a disaster had not fallen upon the province within the memory of man. In a few seconds' time the results of human toil and hope had been shattered and Bihar lay a stricken province....The area in the province in which shocks were acute and caused immense damage in life and property extended from beyond Motihari in Champaran on the west to Purnea on the east, a distance of nearly 200 miles, and from Nepal border on the north to Monghyr on the south, a distance of 80 miles....Experts believed that the probable cause of the earthquake was the thrust of the whole peninsula of India northwards against the Himalayas. Various theories had been advanced to account for this pressure....The effects of the earthquake on Jan. 15 were so terrific for some time that communication with a great part of the area was completely cut off. Roads, railways and telegraph lines were out of action. Embankments disappeared, the rails remained suspended or shifted and the bridges were destroyed....The total number of deaths reported up to date was 7,057. The greatest loss of life occurred, as might be expected, in the Tirhoot Division—5,295. In Muzaffarpur district alone 2,484 lives were lost." In Sitamarhi, Darbhanga, Madhubani, Champaran, Monghyr, Bhagalpur, Patna, Gaya and elsewhere, the death-roll was also heavy. "It would never be possible to give an accurate statement of what the death-roll was....He was aware that the estimate of deaths given by many people in complete good faith had been far higher than the figures he had given." As to the material damage done, it fell into four categories—damage to Government property, damage to property belonging to the local bodies, damage to

railways, and damage to private property. The Bihar Finance Member continued—"The first question obviously was one of finance. The local Government could not even afford to make good their own losses, much less to give any help to others. Sir Alan Parsons, Financial Secretary to the Government of India, visited Patna a few days ago. The Government of India were prepared to meet the local Government in a generous spirit.....the local Government hoped to be in a position to make loans to private persons to help them in reconstruction of their houses and with this object a bill was being introduced immediately in the Council...The disaster has drawn us together. Our minds have been touched to finer issues. Let us see to it that in the new Bihar that will rise out of its ruins this happy union will continue." He was obviously thinking of the happy union of official and non-official—particularly Congress—bodies in the work of relief and reconstruction.

XXV. NON-OFFICIAL ESTIMATE

Even a more harrowing tale was narrated in Babu Rajendra Prasad's cable to Mr. Andrews. He characterised the Government estimate of loss of life at 6,000 as "gross under-estimate". At least 20,000 must have perished, the death-roll of Monghyr alone being 10,000. As to loss to private persons, the Darbhanga Raj estimated their own losses alone at 5 crores of rupees. Babu Rajendra Prasad was not guilty of exaggeration when he said that apart from Government requirements of millions of pounds for their own reconstruction purposes and those of Railways and Local Bodies, millions of pounds and many years of strenuous labour would be necessary to rehabilitate stricken Bihar.

XXVI. RELIEF FUNDS

Relief organisations were started in which, as might be expected, Congress bodies took a prominent part; but help and cooperation were forthcoming from other quarters (including of course Official) also. Besides the Viceroy's Earthquake Fund, the Central Relief Fund of which Babu Rajendra Prasad was one of the prime movers, and the Calcutta Mayor's Fund were started and lacs of money were without much difficulty raised. But lacs were a drop of help in a sea of need. Contributions from foreign countries—especially from London—came no doubt, and poor, noble India, which is ever grateful for even small mercies, was, and still is, grateful for them. Comparisons are odious especially in the matter of charities. Still there were some who could not rise above the temptation of instituting comparison between the degree and kind of humanitarian interest which a free and big Power (e.g. Japan) evokes under Nature's affliction and what a poor, subject country like India may be able to excite under similar conditions. In these days of broadcast "cosmopolitanism", even charities may not always be conceived in the spirit, and controlled by considerations, of pure humanitarianism. They may be undertaken from a political or commercial consideration. But let that pass. While on this point we should like, however, to refer to the very gracious terms in which the Lord Mayor of London appealed to "that large-heartedness which is

England.” After referring to hundreds of small offerings he had been touched to receive, the Lord Mayor said—“Here is an opportunity of speaking in a language which the Indian people cannot and will not misunderstand, a gift we must bring to the altar of understanding and friendship. It is not a little but a great gift worthy of us and worthy of them.” Gracious indeed were the words, but they were also wise. The gift was to be brought not simply to the altar of pure Christian charity and human brotherhood but also to one of understanding and friendship.

XXVII. FINANCE MEMBER'S GENEROUS GESTURE

On Feb. 14 Kumar Gupteshwar Prasad Singh moved the following resolution in the Legislative Assembly (The Leader's Own Correspondent at New Delhi began his report by telling that at one time during the proceedings no less than seventeen members of the Assembly were asleep on the comfortable green benches, and the honours were evenly shared as these members belong to almost every group)—“This Assembly recommends to the Governor-General in Council that he may be pleased to advance such loan without interest or at a very low rate of interest to the Government of Bihar and Orissa as may be required to help the reconstruction of Bihar devastated by the recent earthquake”. Mr. Studd, on behalf of the European group, whole-heartedly supported the proposal for a loan in part at least without interest, and remarked—“It was a national calamity, but one bright spot was it had brought about co-operation between different classes. By helping Bihar they were helping the cause of India.” Gracious and wise words again. Sir George Schuster on behalf of Government did not on the occasion disclose his cards, but he promised to do so in his Budget speech or even earlier. He hoped that the lines on which Government proposed to proceed would be adequate to meet the needs and commend themselves to the House. In his Budget speech (Feb. 27) the Finance Member explained the Bihar earthquake relief measures proposed to be taken by the Central Government in consultation with the Government of Bihar. Those measures included a gift of half a crore to the Bihar Government for buildings and an additional half crore as loan etc. The total funds proposed to be provided were to the tune of 3 crores or more if needed. We need not go into details which will be found elsewhere in the body of the Register.

XXVIII. RECONSTRUCTION OF BIHAR

The task of reconstruction was, and still is, of so gigantic a magnitude that a crore or two from the State Exchequer and a crore or so from Relief Funds' collections all told would still be as a drop in the sea. A crore or two might house the Government and the local bodies and their schools and hospitals; within that the railways too might resume their normal run. But the making good of damage done to private property in building, agricultural land, wells etc, was a much bigger and much more complicated job which in any other country would have been attempted in a thorougher and more business-like way, by both official and lay agencies, than it was done in this country. We are referring not merely to funds. India is a poor

country. Yet the heart of India has been large. That heart has never lacked the milk of human kindness and charity. Even the half-starved kishan will readily part with the penny which he badly wants for himself to relieve the distress of a fellow-being. With better organisation and more effective methods, more lacs could possibly have been raised. But we let alone lacs or even crores, though, of course, the question was mainly one of funds. It was a question of organisation and method also. Relief was to be brought primarily where it was most urgently needed ; and a new Bihar was to rise out of the ruins of her former self. This latter task would require both imagination and resourcefulness for its progressive accomplishment. New lines of town-planning and village-planning, new methods of agriculture and irrigation, new forms of industry, especially cottage industry, were to be conceived and sought to be progressively materialised. You can do little if you begin with poor funds ; but the little you do spells no good if you set about doing it with no ideas and no methods.

XXIX. PANDIT JAWHARLAL'S ARREST

We leave this painful subject with a passing reference to the arrest of Pandit Jawharlal and his conviction (2 years' S. I.) on a charge of sedition in Calcutta. The Pandit had thrown himself into Bihar relief work with his characteristic zeal and thoroughness, and had he been suffered to continue in the work, he might have supplied to not an inconsiderable degree what the Bihar operations wanted in point of "grit and go". His clear and spirited ideas would also have been a strong leaven to make the new loaf of a Bihar remoulded and remodelled. But Government having once gained mastery of the Indian political chess-board, were in no mood to take further risks by permitting themselves to sleep or linger over their "moves". Possibly, it was feared at some quarters that the Pandit, with his avowed anti-imperialist and pro-communist bias, might not be quite "safe" a leader of operations which would throw him and the poor Bihar Kishan and mazdoor much together. An idea of his "grit and go" may be gathered from the following communication which was received from Monghyr on Feb. 9. "A unique procession of 100 volunteers and 30 representatives of relief societies and members of central committee with thousands of citizens with baskets on their heads and pick-axes and shovels in their hands headed by Pandit Jawharlal will start at noon to-day to begin the clearing of debris in poor quarters." A leader like this should not have been snatched away from a work which needed him and men like him most.

XXX. THE BUDGET

We referred already to the Budget speech of Sir George Schuster. The revision in postal and telegraph rates was expected to stimulate traffic both in letters and telegrams and add to the receipts of that department. Enhancement in the rates is not always the shortest or surest cut to increased revenue. The proposed excise duty on factory-made sugar provoked a good deal of hostile criticism. In proposing the excise duty the Finance Member said—"Large profits are being made by sugar-manufacturing companies, and the attraction of these profits

is so great and factories are being set up so rapidly, that there is a real danger of over-production on a scale which may lead to very serious reactions both on the manufacturing industry and on the cane growers who rely on it." Now, Bihar is one of the important cane-growing and sugar-manufacturing provinces. The earthquake practically destroyed the foundations on which the whole structure of sugar-growing and sugar-manufacturing in that province rested. Seven of the sugar factories were pulled down by the earthquake and two more were seriously damaged. The Finance Member was perfectly aware of the materially altered situation as to cane-growing and sugar-manufacturing that had been created. The bogey of over-production had been laid. Yet he stuck to a decision that had been arrived at before the occurrence of the earthquake.

XXXI. The SPECTRE OF OVER-PRODUCTION

That India possessed a considerable and thriving sugar industry is so recent a fact that it can be regarded as authentic history. This industry, like her indigenous cloth industry, was virtually killed by cut-throat foreign competition. If protective walls were needed for any Indian industries, they were needed for these. After years of agitation a measure of protection was at last afforded. Under protection Indian sugar was reviving. It was reviving at such an "alarming rate" that even Government at last conjured up the spectre of over-production, and European Chambers of Commerce were frightened into fighting the surcharge duty on import goods. Government chose their moment for conjuring the spectre which was particularly unfortunate for two reasons. Firstly, because the Indian sugar industry was yet in its infancy, and it needed watchful nursing for many more a year. Secondly, because the recent Bihar calamity had dealt a blow to it from which it would take many years to recover. Sugar under the circumstances should have been about the last thing to be touched. "Budgetary tightness" due to the fall in the import of sugar to which the Finance Member referred should have been sought to be relieved not by curbing Indian sugar but by effecting economies elsewhere—more particularly in the Indian Military Bill which has remained practically sacrosanct and inviolable under existing arrangements and will remain so under the proposed constitution. At any rate, what the Government fear to lose under the head of Customs they should try to make good by means and methods less prejudicially affecting the vital key industries of the country.

XXXII. THE CASE OF BENGAL

In his statement the Finance Member dealt with the case of Bengal "which was piling up deficits at the rate of two crores per annum". To meet the situation Government provisionally accepted the White Paper proposal, and by imposing an excise duty on matches, they proposed to hand over half of the jute export duty to the jute-producing provinces of Bengal, Bihar and Orissa and Assam. A proposal of this nature, however just and merciful to Bengal and her near neighbours, would not fail to be an occasion for the bubbling up of inter-provincial jealousies in some form or other, and other provinces might com-

plain that they had to pay in order that Bengal might have a share in the profits of her monopoly of jute production. The match is an article of universal consumption. To make it dearer is to make all India, including the very poorest masses, feel the pinch. Of course Bengal's case as regards her snatched jute export duty on the one hand and her "deficits piling up at the rate of two crores per-annum" on the other, was a case crying for justice and equity if any case ever cried for them. Yet relief need not have been sought in the direction in which it was. The fundamental drawback of Indian finance is its many "reservations and safeguards". It is not in the nature of an organic whole in which all parts freely act and react on one another. Some parts will only take but will not give. Others have only to give. There is no arrangement for a free give and take. Those that take assess their own needs. Those that give have not their needs assessed by themselves. And behind Indian financial policy and Fiscal Convention Whitehall reigns supreme. Under a scheme so peculiar as this, there can be very little scope either for the whole Indian Budgetary Plant resting on a sound and satisfactory basis or for the constituent parts of the Indian budgetary system being adjusted in reasonable and mutually accommodating manner. A balanced budget without inequities becomes an impossibility under such conditions. You have to hit stricken Bihar in a vital part (e. g. her sugar) to give her relief. An anaemic Bengal has to be revived by transfusion of the "blood" of the other provinces. The situation is not likely to improve so long as India is not able to evolve a natural kind of financial autonomy.

XXXIII. INDIAN ECONOMIC POSITION

The Finance Member however concluded his statement with a brilliant survey of the economic position of India. The past years of unexampled depression had actually been a period of industrial expansion. "Iron and steel were working during 1933 at 41 and 75 per cent respectively above 1928 capacity. No other country, not even Japan, could compare with this. There had been a great development elsewhere in sugar etc...But admittedly the main interest of India was the agricultural rather than the industrial problem." In this also the Finance Member claimed a distinct improvement..."but there was an undoubted danger that the continuance of low prices might leave an aftermath of the serious problem of indebtedness". We need not follow him further. His closing picture of Indian financial position was aglow with the rosy hues of the rising (or setting?) sun. "Its strength challenges comparison with that of any country in the world and in these times of increasing economic nationalism there is no other country that has brighter prospects or greater potentialities for economic advance than India."

XXXIV. NON-OFFICIAL BUDGET CRITICISM

The remarks we have above made represent the lines on which criticism was made by most of the non-official members as to the budget. We may, still, refer to the actual observations made by some of the members. According to Sir Leslie Hudson, leader of the European group, the budget was not unsatisfactory, but "it would have been really a deficit budget but for the raid on the debt redemption

fund'. The cut in salaries to services should not be restored without simultaneously affording relief to the tax-payer. The Central Government's measures of financial help to Bihar were generous. Then note this remark by Sir Leslie—"While Bengal might feel satisfied over half of the jute tax being given her, the rest of India would have the grim satisfaction that every time they struck a match it was to help Bengal". Sir Abdur Rahim's criticism was conceived in a deeper key and it struck a note similar to the one underlying our own general criticism of the budget policy of the Government of India. We quote at length from the Press summary of Sir Abdur Rahim :—

"At best he had produced another emergency budget and there was no relief to the tax-payer. Perhaps it was the fault of the system of Government in India which had to take orders from London. The financial policy of the Government of India could not, therefore, be sound. The need of the hour was to increase the purchasing power of the people by industrialisation, which was not possible unless the Government of India were removed from the vicious circle of having always to frame a budget from the expenditure side. It was true that military expenditure had been reduced in recent years from fifty-five to forty-six crores, but what had the Government of India done to press India's case for justice regarding capitulation charges? An amount of 170 lakhs did not meet the ends of justice and India was entitled to know from Sir George Schuster what steps had been taken by the Government of India. Referring to Bengal, Sir Abdur Rahim said that her financial difficulties were due not to the terrorists, but to the inequitable Meston Settlement against which Governors from Lord Zetland had protested. Bengal joined Bombay and other provinces in seeing a more equitable adjustment. In his opinion Bengal, which had the monopoly of jute production, deserved the whole of the jute tax. Concluding, he suggested that the Government of India, while presenting the Central Budget, should give a general picture of the financial position of each province so that the House might understand the situation better and avoid inter-provincial jealousy."

XXXV. OFFICIAL REPLY

Sir George Schuster, in replying to the budget debate, contended that "the sugar proposals would still leave a margin of profit after fixing a fair price for cultivators and consumers. Protection was still over 200 p. c, ad valorem and India could not export sugar on the competitive basis, but if any export occurred, a rebate of duty would be granted. The case of no other province was comparable to that of Bengal. They could not under the present conditions restore equilibrium and the Government of India as their bankers had no other alternative but to give them extra income leaving them to fill the remainder of the gap. He did not, however, want the province to entertain the hope that there were other schemes up their sleeves for help to them". We need not follow the Finance Member further into the intricacies of the labyrinth of Indian finance which is not a natural system governed by the laws of natural economics but a grotesque, and in some respects, an arbitrary growth subject to its own laws or negation of laws. As regards the military bill for instance, whilst the Government side claimed that reduction in army expenditure had surpassed the expectations and recommendations of the Inchcape committee, the non-official side felt far from being satisfied with the extent of the concessions made. It was not simply because these were inadequate, but primarily because they were concessions which military authority in India and at "home" could see their way to grant at pleasure, and not contributions that could be demanded from the Military Department as a matter

of right and equity. That department in its internal economy was practically uncontrolled and unregulated by the civil authority. Nor did it come within the "mischief" of such representative institutions (Legislative Assembly etc.) as India possessed. The history of the military budget showed of course some bends, some ups and downs, in its curve. But the representative institutions in India did not feel that they were any of the terms involved in the equations determining the actual curvature of its curve. The civil authority might tell its own secret.

XXXVI. INDIAN DEFENCE POLICY

The Indian Defence Policy came up naturally for a great deal of criticism in the R.T.C., and it had been assailed by generations of Indian publicists previous to that. So long as Dominion Status for India used to be regarded as beyond the wildest flight of imagination by officials and Indian politicians, the Indian National Congress and other political bodies would rend the welkin with their piteous cries in compassion for the poor Indian tax-payer and kneel in supplication for a crumb or two from the sumptuous table of Indian military supplies. But with the goal of Dominion Status coming within the range of professed, if not practical, politics, and with the declaration of 1919 promising responsible government in an increasing measure to India, and later developments prospecting a transition period during which the white man's burden was to be gradually transferred to Indian shoulders, the Indian temper and tone in regard to Indian Defence Policy as a whole underwent a material alteration. It has been contended, and quite justly, that self-government or responsible government is a misnomer or even a mockery without India actually taking over the management of her own defence. The Congress demand which Mahatmaji placed on the R. T. C. table would not of course stop short of the whole military policy and department being placed under Indian legislature and cabinet in the near future. This proved too outrageously daring a scheme for the general body of R.T.C. delegates to accept. It was not practical politics. It was not even in the interests of India. Still a formula sufficiently wide and elastic to accommodate both the interests of India and of Great Britain was adopted by which "the defence of India was increasingly to be the concern of the Indian people." But the White Paper proposals and the J.P.C. Report did little to translate this accepted principle from the cloud-land of pious hopes to the realm of actualities.

XXXVII. INDIANISATION

The first question was of Indianisation. Though an initiative was at last taken in respect of the matter of Indianisation, the rate of advance was far too slow to raise or sustain a hope that the Army might be completely or even substantially Indianised in the life time, not of this, but of the rising generation. Except upon a larger and more generous scale, it is feared that Indianisation would never be an accomplished fact. Some past Committees appointed to thresh out the question had put forward schemes which if worked out might have brought about the consummation within 40 or 50 years. But there

seems to be no inclination in the quarters of highest authority as yet to make the process of Indianisation anything else than a process of asymptotic approximation. It is even feared that such approximation may not at time be suffered to lower a certain level of British "efficiency" and encroach upon a certain margin of imperial security. But it has never been proved that, given opportunities, Indian men and officers can never hope to reach the British standard of efficiency, and it has never been contested that in the actual fire of the ordeal, they have not been found in the past and will not again be found in the future as strong and trusted a bulwark of imperial defence as any other body of men in the British Commonwealth of Nations.

Besides this question of Indianisation, there is the question relating to the purpose for which primarily the Indian Army must be maintained. Is it for imperial purposes or for the purposes of Indian defence? If it be for the former, then the Empire must shoulder an equitable share of the Indian military burden, and further, India must be given an equitable share in the determining of imperial military policy. A small capitation concession from the Home Government is not alone sufficient to meet the ends of justice in this case. If it be for the purposes of Indian defence only, then India can be left to cut her military coat according to her actual financial and political cloth. It is clear that the question of purpose is the key problem which being solved other problems such as Indianisation, a proportionate military budget, and many other things should admit of an easy solution. Many post-mutiny features of military policy and administration in India which to-day should strike one as anomalous are likely to disappear if that policy and administration be re-inspired by a new purpose. The key-note of that new purpose should be responsibility and trust. If you do not trust a people with responsibility in their defence, you do not really trust them in anything else. But we need not enlarge upon this.

XXXVIII. COTTON PROTECTION BILL

Leaving this matter, we come to another which caused not a little stir in the legislature—we mean the Indian Tariff Amendment (Cotton Protection) Bill. On March 14, the Bill was referred to a Select Committee. The problem of imposing protective duty on cotton textile etc. is, as Sir Joseph Bhore admitted, a problem of great complexity. But it may again be pointed out that the exceptional degree of the complexity of the problem is attributable in no small measure to the "vicious circle" in which Indian industry has so long been imprisoned. The fate of Indian industry is not woven mainly on Indian looms. India supplies no doubt the "raw material". But the threads of her industrial destiny can neither be made nor woven into shape by her. Let us waive this fundamental point, however. We quote a few lines from the Press summary of Sir Joseph Bhore's speech—"although the progress of the industry under protection during the past years had not been very satisfactory, it had been notable, which justified the continuance of the protection. The reason why the recommendations of the Tariff Board could not be given effect to in their entirety was the conclusion of the Indo-Japanese Trade Agreement and the Mody-

Clare-Lees Pact. The fixation of quota in the Indo-Japanese Trade Agreement reduced Japanese competition, and the Mody-Lees Pact dealt with competition of the next competitor, namely; the United Kingdom." The Commerce Member then proceeded to explain why Government had accepted the Bombay-Lancashire Pact. But we need not follow him there. It was a pact between Bombay Millowners' Association and Lancashire. Now, the first party to the Agreement was no doubt an important and influential body, but as Mr. N. M. Joshi rightly observed, it was wrong in principle for the Government to accept an agreement entered into by private organisations, one in Lancashire and the other here, because India's tariff policy could legitimately be dictated by one body alone, namely, the Legislature. By accepting the Pact, Government had deprived the Legislature of its rights, and the Commerce Dept. had, in the same breath, abdicated its function. Mr. K. C. Neogy challenged the right of the Bombay Millowners to speak for and negotiate on behalf of the whole Indian textile industry in view of the fact that other provinces were creating their industries ministering to their own textile needs, and Bombay which had already lost its monopoly in the industry could not be given a monopoly of voice in any bargain sought to be made with an outsider. Mr. B. Das characterised the Pact as anti-national, and contended that little heed had been paid to the interests of the handloom weavers. Members asked what India would get in reality for the 25 p. c. preference given to Lancashire. Was it a price paid to buy the good-will of all-powerful Lancashire in the matter of the Indian constitutional reforms? Was it sound policy to make economic concessions of a substantial kind for the purpose of securing shadowy political ends? Was there any guarantee forthcoming from mighty Lancashire that it would throw its weight on the side of the Indian Dependency when it should claim equality of status with other parts of the British Empire? Was the Imperial preference given to Lancashire in the nature of a free gift, or was it something "wrested" from India because she was not yet able to guard her own tariff walls? These were some of the questions raised in the course of the debate. Of course the Commerce Member might say that the Government had only provisionally accepted the Pact subject to "ratification" by the House. But this "House" was not yet what such "Houses" are in the democratic countries. With a House constituted as it was, it was possible for the official block to carry the Ottawa Agreement through and also other measures which were not exactly hailed with a chorus of hallelujah in the country. And would the Government take their hands off a business upon which Simla and Whitehall had made up their minds, but in which they happened to lack the backing of their Indian Legislature?

XXXIX. PRINCES' PROTECTION BILL

The next legislative item of importance was the Princes' Protection Bill. Non-official members—that is to say, the progressivist elements amongst them—questioned the advisability of enacting a drastic legislation which sought to encroach upon the fundamental and ordinary rights of association and expression of opinion on public matters by

citizens living under a civilised Government." It was contended that the effect of Clause (3) would be a substitution of executive action for judicial procedure. Clause (5) of the Bill which empowered Magistrates to prevent associations etc. was in fact very different from Sec. 144 Criminal Procedure Code on which it was supposed to have been modelled. 144 Cr. P. C. sought to secure peace only under a certain emergency by means of summary trial. And a very pertinent question was asked by Mr. K. C. Neogy—"Now that the Paramount Power through its mouthpiece, the Government of India, has come to seek the help of this legislature for the proper discharge of their obligations, is this House not entitled to ask what the Government will do to discharge their corresponding and equally solemn obligations to the States' people?" Mr. C. S. Ranga Iyer said—"As the Federation was in sight, we should strongly support the measure which would go a long way in enlisting the Princes' sympathy for joining the Federation." But was Federation in sight, and was it Earthly Paradise?

XL. SIR HARRY ON THE BILL

Sir Harry Haig, in replying to the debate, claimed that the Bill was in part very definitely required in the interest of British India, as movement of Jathas stirred up feeling in British territory, and obviously, it was in the interest of States as well that such a movement should not develop and be directed against their administration". It was, therefore, immaterial whether or not the States had made a formal request for legislation. It would have been a different matter if the States had been actually opposed to the legislation. As regards the proposed measure and Sec. 144 between which a comparison had been made, Sir Harry Haig observed—"Sir Abdur Rahim had put the case with moderation, but Sir Abdur's angle of vision was different from ours. We, with an executive mind, believe in prevention, while Sir Abdur preferred, 'let the offence be committed, and then punish it.' The official case was not that the measure was one of emergency. If it had been, it would have been included in the Ordinance Law. Such powers had existed for twelve years under the old Press Law." Replying to the criticism that the powers which the Bill proposed to confer on District Magistrates were too wide, which they could not be expected to exercise intelligently in all cases, the Home Member put in a vigorous defence for "the man on the spot," who would naturally be fully aware of what was happening in his own district or across the border (that is, in a State adjoining his district), so there was every reasonable assurance that his judgment would be based on knowledge. Besides, the proposed powers could only be exercised in districts to which the Local Government had applied the Sections of the Act by previous Notification. Referring to the suggestion that under the provisions of the Act even Conferences of States' subjects might be prohibited, Sir Harry remarked—"I think that the suggestion could only be made by those who believe that the executive acts always in a most arbitrary manner and without regard to the provisions of the law."

XLI. PRESS SECTIONS OF THE BILL

We do not propose to follow the course of the Bill when it came to be discussed clause by clause. Some of the hottest battles—the issue of which was, however, foregone—were fought round the Press Sections of the Bill. The Home Member assured that Government had no intention to penalise well-conducted and honest papers. But no body had ever accused them of entertaining such intentions. Government had always discriminated between what they considered honest and well-conducted and what they did not so consider, in journalism and other things, including even Swadeshi. The scale of discrimination again had not been uniform in all the provinces. Possibly because a rigidly uniform scale would not suit the varying requirements of the provinces. Where the Indian publicist would join issue with the Government was not that, but it was the latter's definition of honesty and good behaviour. But let us pass on. It had been suggested also that any State could ban the entry of any papers it did not like, and that as a matter of fact, some of the States had been banning some of the offending papers. So the proposed Bill was unnecessary. But the Home Member reminded the House that Indian India had no Chinese Wall around it to keep it secluded from political and other influences of British India, and that "materials" were practically the same on either side of the border. An wave of political or economic earthquake which had its epicentre in British India, would easily cross the frontier and work mischief in Indian India, and vice versa.

XLII. MATTERS OF MOMENT

Now we leave the Legislative Hall and take a rapid survey of some matters of moment outside. The month of April opens with a move by some of the Congress leaders headed by Dr. Ansari to revive the Swaraj Party. It was stated that a letter was received by Mr. Munshi from Mahatma Gandhi in which the opinion was expressed that the decisions of the Poona Conference could not be altered till an honourable settlement was arrived at with the Government but that "those who wished to chalk out a supplementary programme should do so, and that Gandhiji would welcome it". The object of the proposed party was of course to fight the Assembly elections on the Congress ticket. The Congress had been for some time past practically a defunct organisation, which, however, did not mean that its influence in the country was dead or even on the wane. The proposed Swaraj party was therefore naturally anxious to receive the blessings of Mahatma Gandhi on a venture which had so long been taboo. They should not even appear to revolt from the Congress. Congress prestige in the country was still so great that no "revolting" party would have a chance in the elections. This decision of a section of Congressmen to enter legislatures was welcome even to non-official Assembly quarters. The opposition to the Assembly had been hopelessly weak since the time the old Swaraj Party had severed its connection with it, and the whole position had been disreputable. The Assembly had ceased to reflect the opinion in the country. Now the return of the Congress party would of

course change the whole position. The legislature would be more representative in character, and the Government side would be denied the habitual delight of an easy walk-over in respect of whatever matter it chose to bring forward. On April 1, the Leaders' Conference unanimously decided to send a deputation to Mahatma Gandhi to consult him on the issues and seek his approval.

XLIII. GANDHIJI'S STATEMENT

On April 7, Mahatma Gandhi issued a Statement to the Press on the issue before the country. The Statement, as he told us, was the result of "an intense introspection, searching of the heart and waiting upon God". It carried with it reflection upon no single individual. It was an admission of his own limitations. "I was Blind." Though the Statement will be found reproduced in full elsewhere, it was so important that some portions of it deserve incorporation in the Introduction itself. After stating that he had been blind so as not to see some of the weaknesses manifesting themselves in some unexpected quarters in the conduct of the Satyagraha Movement, Gandhiji proceeded to say:—

"Blindness in a leader is unpardonable. I saw at once that I must for the time being remain the representative of civil resistance in action. During the informal conference week at Poona in July last, I had stated that while many individual civil resisters would be welcome, even one was sufficient to keep alive the message of Satyagraha. Now after much searching of the heart, I have arrived at the conclusion that in the present circumstances only one, and that myself and no other, should for the time being bear the responsibility of civil resistance if it is to succeed as a means of achieving Purna Swaraj.

"I feel that the masses have not received the full message of Satyagraha owing to its adulteration in the process of transmission. It has become clear to me that spiritual instruments suffer in their potency when their use is taught through non-spiritual media. Spiritual messages are self-propagating. The reaction of the masses throughout the Harijan tour has been the latest forcible illustration of what I mean. The splendid response of the masses has been spontaneous. The workers themselves were amazed at the attendance and the fervour of vast masses whom they had never reached. Satyagraha is a purely spiritual weapon. It may be used for what may appear to be mundane ends and through men and women who do not understand its spiritual (ends), provided the director knows that the weapon is spiritual.

"Everyone cannot use surgical instruments. Many may use them if there is an expert behind them directing their use. I claim to be Satyagraha expert in the making. I have need to be far more careful than the expert surgeon who is complete master of his science. I am still a humble searcher. The very nature of this science of Satyagraha precludes the students from seeing more than the step immediately in front of him.

"The introspection promoted by the conversation with the Ashram inmates has led me to the conclusion that I must advise all Congress-

men to suspend civil resistance for Swaraj as distinguished from a specific grievance. They should leave it to me alone. It should be resumed by others in my life-time only under my direction, unless one arises claiming to know the science better than I do and inspires confidence. I give this opinion as the author and instigator of Satyagraha. Henceforth, therefore, all who have been impelled to civil resistance for Swaraj under my advice directly given or indirectly inferred will please desist from civil resistance. I am quite convinced that this is the best course in the interest of India's fight for freedom.

"I am in deadly earnest about this greatest of weapons at the disposal of mankind. It is claimed for Satyagraha that it is a complete substitute for violence or war. It is designed, therefore, to reach the hearts both of the so-called "terrorists" and the rulers who seek to root out the "terrorists" by emasculating the whole nation. But the indifferent civil resistance of many, grand as it has been in its results, has not touched the hearts either of the "terrorists" or the rulers. Unadulterated Satyagraha must touch the hearts of both. To test the truth of the proposition, Satyagraha needs to be confined to one qualified person at a time."

Gandhiji asked the civil resisters "to learn the art and the beauty of self-denial and voluntary poverty". They must engage themselves in nation-building activities—the spread of khaddar, promotion of communal amity, removal of untouchability etc. "Let it be understood that civil resistance is for those who know and perform the duty of voluntary obedience to law and authority". In making the above recommendation, Gandhiji made it clear that he was by no means usurping the function of the Congress, but that he was merely giving his advice.

XLIV. DR. ANSARI'S STATEMENT

Dr. Ansari issued a Statement on the parley of the Swaraj Party with Mahatma Gandhi at Patna. In the course of the Statement it was said—"With his characteristic generosity he has cordially welcomed the revival of the Swaraj party and has endorsed the decisions of the Delhi conference to take part in the forthcoming elections to the Assembly. Although his own opinion regarding the utility of legislatures remains what it has always been, he considers it the right and duty of Congressmen who are not offering civil resistance and who believe in work in legislatures to prosecute the programme which they believe to be in the interest of the country. He goes even further and promises at all times to render assistance to the Swarajya party as lies in his power to give.

"This whole-hearted and spontaneous support of Mahatma Gandhi has happily removed all chances of opposition and division within the Congress. It has further made certain the cooperation and coordination of different groups of Congressmen. I feel confident that with the revival and reorganisation of the Swarajya Party and the placing of a practical effective and dynamic programme of work before the Congress and the country, it will be possible not only to remove the political inertia and sullen discontent among the intelligentsia and the people, but also to demonstrate that in our campaign against the dual policy of the Government, namely, repeal of repressive laws and rejection of

the White Paper constitution, along with the placing of the national demand, we have the entire support of the whole country behind us. Apropos the national demand, I must state that an agreed communal settlement is an important and integral part of the demand. The Swarajya party would make achievement of communal unity the most important part of its programme and would naturally endeavour to utilise every available means to achieve it. I have not the slightest doubt about the genuineness of Mr. Jinnah's efforts to bring about unity, but I cannot help feeling that there is room for improvement in his formula to make it acceptable to every group among the Mussalmans as well as among the sister communities."

XLV. A. I. C. C. MEETING AT PATNA

The Government accepted, and they acted wisely in doing so, the challenge of the Ranchi decisions by which some Congressmen had determined to set up a machinery within the Congress for the purpose of contesting elections to the legislatures. Government on their side decided not to prolong the life of the Assembly. They would not stand in the way of elections coming in due course. The Ranchi decisions were naturally sought to be approved by a meeting of the All-India Congress Committee at Patna in May. Mahatma Gandhi actively participated. The Resolution passed by the A. I. C. C. appointed Pandit Malaviya and Dr. Ansari to form a Board, with the latter as President, called the Congress Parliamentary Board, consisting of not more than 25 Congress members to run and control the elections to the legislatures, the Board to be subject to the control of the A. I. C. C. Mahatma Gandhi in the course of his reply to the debate made it clear that the resolution did not want those who did not believe in legislatures to change their opinion and advocate the cause of Council-entry, but as some Congressmen believed that they could render service through the Councils, the A. I. C. C. resolution permitted them to do so. He himself had no faith in the Council programme. By the terms of the resolution only Congressmen could be selected as candidates. And as Gandhiji explained it would not be proper to transform the entire A. I. C. C. into an election board, because in that case the entire Congress became a Council party. "The real strength of the Congress", said the Mahatma, "will come only through civil disobedience and constructive programme". The Parliamentary Board should have the same autonomy as the All-India Spinners' Association except that, as Council work involved political matters, the A. I. C. C. would exercise the right of developing ideas on which the Council work should proceed. Babu Sri Prakash and Acharya Narendra Dev moved a Socialist amendment to the main resolution recommending the adoption of the socialist programme. But the amendment was not carried. It was questioned whether in view of the past decisions of the full and open Congress they could change their plan of operations in some of their essentials. But the A. I. C. C. gave a line clear to the Parliamentary Board, though an open session was to be called in October.

There were various other matters of moment in various other spheres of Indian interest, but we shall not take up them for narrower inspection. They will be found in their places in the Register.

XLVI. CONCLUSION

In concluding the Introduction we take leave of politics and once more invite the attention of all serious men and women to the very foundations upon which alone a stable and noble structure of Indian Nationalism can be raised. An idea of what we mean may be gathered from the following reprint of cuttings from two articles we recently contributed to *Amrita Bazar Patrika* (Jan. 23rd and March 5, 1935) :—

"Our vital centres are not dead : they are only in a state of suspended animation. Possibly it is a swoon which is helping India to recuperate and refill her depleted energies. The veneer of exotic culture is acting as a blister to provoke a vital reaction. It is the upper 'arani' (sacrificial wood) which by its friction is helping to kindle the inner 'arani'. So it has its use in the vital economy of India living out of her being again. In the phraseology of Indian wisdom the inner 'sattawa' of Indian being benumbed under the accumulated dead weight of 'tamas' is now being released into renewed activity under the 'rajasika' impact of an alien civilisation.

"But whilst the foreign blister is helpful in a way, its random application where it should be applied or its reckless continuance where its use is no longer indicated or called for, is not unattended with grave risk. In a case of radium cure radiations are useful only within limits. It is surely not the case of "the more the merrier". The most vitally useful effect of the foreign blister is to produce an explosive expansion. So far as this explosion may be rendered into a release of the arrested, inhibited vital centres and their consequent bid for freedom of action ; in other words, so far as this process means a release and thawing of the deeper springs of life, it is helpful. But where and to the extent the explosion tends to explode and destroy the vital centres themselves and not simply remove the blocks arresting the course of their free, healthy action, it is harmful. As in the case of the healing art, so here there is every likelihood of a given curative agent proving useful within limits and harmful when exceeding those limits. The blister must therefore be applied with wisdom and care. The past history of the import and use of the foreign blister in India does not show that these were made with either wisdom or care. The process was governed more by considerations of surface needs—by political convenience and expediency among other things—than by consideration of the deeper needs of Indian education and fulfilment.

"It has not been productive of results of unmixed or even preponderating good. In some cases it has been productive of more evil than good. The classes and the masses, the womanhood and the manhood, the urban folk and the country folk, the Sannyasins and the householders have not all been uniformly and equally affected either in quality or in quantity. The so-called intelligentsia and peoples living in urban or industrial areas have been more prejudicially affected than others. They have been as a rule more thoroughly de-Indianised. They have not become less and less truly Indian by becoming more and more truly international and cosmopolitan. Young India of either sex has been labouring under a delusion that in its present feverish bid for "modernism" it is leaving behind only what is of antiquated, worn-out,

vanquished value, and making a dash for not only what is the newest and latest but also the fittest and best.

"It is also well to bear in mind that in spite of all the diversity of races, religions and languages in India, there subsists a unity of a very fundamental kind which is not simply geographical unity or a political one due to our all having to serve a common master. There is such a thing as a common Bharata Dharma or Indian Culture, of which the various creeds and sects are but so many differing Component expressions. They are but differing notes of one grand, beautiful Symphony. Even the Indian Mussalman and the Indian Parsee, not to speak of the Sikh, Jain, Buddhist and "Animist"—live, move and have their being in a common vital plenum of Indian Culture. It is wise to recognise and emphasise the community of the deeper, fundamental interests, material and spiritual, of all Indians as Indians; and it is unwise to set them by their communal ears as we have been doing now.

"But this brings into prominence the need for defining, classifying and interpreting as clearly as possible Bharata Dharma or Indian Culture. Of course there are different lines of approach to this central Problem. The Hindu will do well to make his approach along his line. And so others. The important thing is to make the most effective approach. Such approach is convergent, not divergent. Until we are able to reach down to our "vital centres" and re-establish "our" connections with them, we shall never know what we are about in politics or in education or in anything else. Till then we are only the dead frog galvanised.

"We have spoken of Bharata-Dharma or Indian Culture, its Seed and Soil Factors, its common Idea and Form and their differing component expressions. All varieties of racial and cultural plants, some of them originally exotic, are now acclimatized in India and bear a common stamp of distinctive Indian pattern or type. To use another figure, they have a common Mother India, adopted in some cases, Who has nursed them by the milk of Her own breast. By that milk of Light and Love their bone and flesh, material as well as cultural, have formed. The Indian Hindu, Mussalman, Sikh, Buddhist and others have thus been fellows in a common Indian Nursery. Their affinities are more vital and fundamental than their divergences. This is so even in their Religion. In fact the affinity is the deepest in Religion. For religion in the sense of Dharma is one, though creeds and sects are many. By the Seed Power of India the divergent creeds and sects, which collide elsewhere, have tended to coalesce in their kernel of spirit without having to discard their differing husk of form. It is not only by the deeper affinities of Sufism and other mystic cults that the Indian Mussalman has felt his spiritual contact with the Hindu. Points of contact have also been established in several matters of social behaviour and cultural form. The mortal remains of Kabir, the great Indian Saint, were claimed by both. This was emblematic of the true spiritual brotherhood of the two.

"In Kavir they had found the common milk and sap of their inner life. Rise above the dust storms of communal passion and sectarian prejudices, and behold how religions and cultures, in their serene altitudes, blend into a harmony of Light and Love, Yearning and Endeav-

your. It has ever been the special function of Bharata—Bharata-Shakti—to raise all warring elements out of their chaos of conflict and confusion and vouchsafe to them a vision of peace and harmony. Yet no particular element has been required to sacrifice its individuality. Each note, each tune has been not only suffered but encouraged to remain as such. Only it is to obey the rule of proportions and fitness of things. It is to be pure, accommodating, melodious. It is not to jar and jam, impose and interfere. The Seed Power of India has nowhere been so manifest as in the way the Indian Mussalman has not only approached the spirit but mastered the form of Indian classical Music—the Ragas and Raginis. He has of course contributed his own expression to some of them. But this is as it should be. And be it remembered that Music is the most vital of the vital springs of life. If the Hindu and the Indian Mussalman could “drink” together at this common spring of life, was there any compelling reason that they must fight over mirages of shadowy communal gains in a desert of common, dreary destitution? Sinister disruptive influences have been at work. But for them, and left to the normal functioning of her own Power, India tends, and has always tended, to build up a Synthesis of Races and Religions, Creeds and Cultures. The West, with its material over-emphasis and sense-circumscribed outlook, has proved a pulveriser. Its way has been to create strife. Over strife it throws a cloak of false unity such as nationalism or internationalism. Its open peace conferences are screened Staff Council meetings for war. Even its “missions” are evangelic (or demoniac?) aerial bombing. Yet there is lip profession to Christianity—one of the sweetest and beautifullest Form of the Soul visions of the East.

“This spirit of strife and discord is abroad: here also. In spite of her many divergent races, religions, cultures and languages, India was able to forge fundamental links to hold and increasingly harmonise them. The cement in the deeper beds was setting even under the stress of surface divergences and disturbances. Now the fundamental links are snapping, the cement is being pulverised under a false mask of political, economic or social equalisation. While our lips are crying “Unity”, our souls are losing Amity; while our heads are planning “Federations”, our hearts are losing Love and Fellowship born of Love. Our patriotism is selfishness organised; our nationalism communalism counter-manoeuving one another.

“All this threatens to attack and disintegrate the Centre of the Seed Power of Bharata-Varsha. To imagine, as we have been imagining, that strife in the present sense is life is delusion and snare. It is like the delusion that arming for war is the best insurance against war. What makes for Life is not a scramble for a bite of others’ flesh, but fight against the greed of flesh and for the truly vital values of life. The mystical East was impractical and a dreamer of dreams because, till lately, she did not evolve the tank and sixteen-incher dragon on land, the dreadnaught and submarine monster in water and the aerial asphyxiating demon in the sky. She was dreaming of the struggle by which Spirit gains mastery over flesh, and of the victory which spells the emancipation and freedom of Spirit. To-day the Near East, Middle East and Far East have permitted themselves to be

shaken from their "dream", and commenced "life". Life in the true Eastern, particularly Indian, sense is fast becoming an archaeological specimen. It is not because that Life has been or can be "cornered" and is ceasing to live. It is because we in our hypnotic hysteria and slaving somnambulism have turned our back upon Life and dashing headlong into the abysmal pit of the common crater of the cataclysmic volcano on which the West now stands and is pulling all the world down into a common destruction by fire and brimstone.

"This headlong plunge into a common destruction and perdition is called "moving with the times". It is "progress". To keep or try to keep one's feet in this senseless rush is to "vegetate", to lag behind. All this means not only myopia but total loss or perversity of vision.

"Yet this is not a note of Despair. The myopia or the blindness is not yet organic. It is still a superimposed phenomenon. It can be cured. In the Ancient Wisdom of India we are instructed . The Face of Truth is hidden in a Gold Vase with a covering lid. O Pushan, have the lid removed that we may be vouchsafed a Vision of the True Norm—Satya Dharma. Can we to-day wring out of our very souls a sigh, an yearning for this ?" (*Specially contributed by Prof. Pramathanath Mukhopadhyaya.*)

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Proceedings of
The Legislative Assembly
And
The Council of State
January—June 1934

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THE LEGISLATIVE ASSEMBLY

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S. G. JOG, ESQ.

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(11) *Ajmer-Merwara*

104. DIWAN BAHADUR HAR BILASA SARDA

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Proceedings of the Council

Budget Session—New Delhi—8th. February to 27th. April 1934

The Budget Session of the Council of State opened at New Delhi on the 8th. February 1934 with the Hon'ble *Sir Maneckji Dadabhoi* in the chair. There were good many visitors including ladies in the galleries.

After the new members were sworn in, the *Reserve Bank Bill* and the *Imperial Bank Amendment Bill* which were passed by the Assembly were laid on the table.

A resolution expressing sympathy for the earthquake sufferers was adopted. The House then adjourned.

NON-OFFICIAL RESOLUTIONS

10th. FEBRUARY :—The Council discussed non-official resolutions when it met to-day for over an hour.

The *Khaddar Protection Bill* as passed by the Assembly was laid on the table.

Rai Bahadur Jagadish Prasad moved a resolution seeking to increase substantially the percentage of recruitment of Indians to the Indian Civil Service with a view to secure the Indianisation of I. C. S. within a measurable distance of time.

The Hon. Mr. *Jagadish Banerjee* moved an amendment stressing the necessity of recruitment of Indian members of the Indian Civil Services in the superior posts of the Government of India Secretariat. Mr. Banerjee complained that the pace of Indianisation of the Indian Civil Service had been unsatisfactory since 1923 and he cited the figures in support of his contention.

Mr. *Hallett*, Home Secretary, replying, asserted that since the recommendations of the Lee Commission regarding the recruitment of the Indians in the Indian Civil Service in proportion to fifty-fifty were accepted by the Government, due effect had been given to them. He hoped that within a short time more Indians

would be recruited, but so far as selection of Indian members of the Indian Civil Service in the Government of India Secretariat was concerned, due consideration had to be paid to qualification of merit and experience of the candidates.

The resolution was withdrawn, in view of the sympathetic attitude of the Government. The House then adjourned to February 13,

RESERVE BANK BILL

13th. FEBRUARY :—A very important point of order was raised by the Hon. Mr. *Hossain Imam* in the Council when Mr. *J. B. Taylor*, Finance Secretary, moved the Reserve Bank Bill as reported by the Joint Committee and as passed by the Assembly be taken into consideration. Mr. *Hossain Imam* contended that according to the Standing Order 42 of the Indian Legislative Rules a Joint Committee of both the Chambers of the Central Legislature ought to have been called by the President of the Upper Chamber but as it was done otherwise the Report of the Joint Committee was vitiated and it could not be proceeded with.

The *President* held that it was an important point but not sustainable. He gave no reasoning for this and the discussion of the Bill continued.

Lala Ramsaran Das, Leader of the Opposition, complained that the shareholders' scheme was forced down the throats of the Indians, adequate Indian directorate was not ensured, the question of ratio was not settled and the Legislature or the provincial councils had no voice in the control of the management of the Bank. He held that the creation of the bank was inopportune before the Indian budgetary position had been assured.

The Hon'ble Mr. *Hossain Imam*, criticised the Bill at length and reviewed the Government of India's currency and exchange policy. He also emphasised that devaluation of the rupee was urgently needed. The House then adjourned.

14th. FEBRUARY :—*Syed Hossain Imam*, to-day, resuming the debate, urged that the Indian Legislature be recognised as the supreme body to amend its laws concerning the Reserve Bank. As regards shareholding, he feared that the capitalists of Bombay and Calcutta would purchase all the shares to the detriment of shareholders in other centres. Therefore, he suggested a provision to prevent the transfer of shares from one register to another. Proceeding, *Syed Hossain Imam* emphasised that besides representatives of shareholders and equal number of members representing public bodies like the Chambers of Commerce, Co-operative Banks etc. be on the management, sent through electoral colleges. He also insisted on a gold standard reserve to liquidate any loss accruing from silver.

Sir Hormusji Mehta, supporting the consideration of the Bill, attributed the present fall of prices to excess production, and drew attention to the experiment in America. This was not the time for India to think of changing the ratio.

Sir N. Choksy warmly supported the motion for consideration, while *Mohammed Padshah* considered that a Central Bank for India was one of the most important measures on which the handing over of financial responsibility depended.

Sir David Devadoss thought that the shareholders' scheme was sound because interference by the Secretary of State would be considerably less than if it were a State Bank. He did not entertain any fear.

Mr. J. B. Taylor replying dispelled several fears and doubts raised during the debate. He assured that the Reserve Bank would not only look after the interest of the Central Government, but it would only be too glad to do anything which would improve the credit of local Governments when they became autonomous. Dealing with political influence *Mr. Taylor* stressed on the kind of interpretation put on it in India. They should not visualize every political influence to be synonymous with a certain type of national aspirations. Referring to the Short Term Credit, the Finance Secretary informed that they had succeeded in refunding 170 crores recently and they had also built up external credit to the value of fifty per cent. of their obligations.

The House unanimously adopted the motion for consideration and the President adjourned the Council.

15th. FEBRUARY :—The second reading on the Reserve Bank Bill was passed in the Council to-day, which was in session for one hour and forty minutes.

All efforts by *non-official Members* to improve the Bill through many amendments moved by *Mr. Jagadish Banerjee* and *Rai Bahadur Lala Mathura*

Prasad Mehrotra proved of no avail. Excepting certain verbal alterations made by the official benches, the Bill remained unchanged as passed by the other house.

The amendments moved by Mr. *Jayadish Banerjee* related to the inclusion of indigeneous banking institutions among the scheduled banks of Reserve Bank and lowering the value of rupee in terms of sterling.

Speaking on the third reading of the Bill, Mr. *V. V. Kalikar* thought that the establishment of the Reserve Bank at the present moment was inadvisable as India's export surplus had not yet been restored and its budgetary position was not satisfactory. He complained that there was nothing in the Bill which would help the agriculturists even after the Bank was brought into existence. The House then adjourned.

RAILWAY BUDGET FOR 1934—35

17th. FEBRUARY :—The Hon'ble *Sir Guthrie Russell*, Chief Commissioner of Railways, in presenting the Railway Budget for 1934-35 in the Council of State said :—

I cannot claim that the results of this and last year are all that can be desired from the point of view of the taxpayer, but I hope to be able to prove to the satisfaction of the Council that not only are the results of this year likely to be considerably better than of last year but that the prospects for next year are such as to encourage at least a spirit of restrained optimism.

Our actual gross earning during 1932-33 were 85.62 crores against 86.50 crores forecasted in our revised budget estimate for the year. The decrease on our forecast was entirely due to taking too optimistic a view of our traffic receipts. The result is that there is a loss in working for the year 1932-33 of 10.23 crores. This loss has been met by a temporary loan from the Depreciation Fund, which leaves a balance of about 12 crores in that fund.

In placing the budget estimate for 1933-34 before the Council, I estimated our traffic receipts at 88.25 crores and our working expenses, including appropriation to the Depreciation Fund, at 63.10 crores, giving a profit on the analogy of Company-owned Railways, or net earning of 25.15 crores. I may say that, up till 2 or 3 weeks ago, we had every hope that our anticipations, both of earnings and working expenses, would prove to be correct. Our weekly returns had shown a steady increase in our gross earnings as compared with last year, and there seemed to be no reason to anticipate that our working expenses would exceed our estimates.

About 3 weeks ago, however, we had a set back, and our traffic as compared with last year for one week dropped by about 8 lakhs. Admittedly, the returns for the following weeks have shown a welcome revival, but this set back has been a warning that the barometer of railway earnings is not yet set fair, and we have therefore, considered it advisable to place our earnings for this financial year at half a crores less than our original estimate. This is actually about two and one-fourth crores more than our earnings for the previous year.

The increase in this year's earnings has been entirely under goods, and we now expect the receipts from this traffic to be about three and half crores or 6 per cent. better than last year. This increase is general to all commodities and it gives an indication that there are fair prospects of a revival in trade. Unfortunately our passenger earnings do not show the same upward tendency, and we estimate that they will be about 1 crore or 4 per cent., less than they were last year. I think it may be taken as a generally accepted fact that goods earnings react quicker to a revival of trade than passenger earnings and there is every hope that, as trade further improves, our passenger earnings, if they do not increase, will at least not tend to decrease further.

So much for our earnings. As regards our working expenses, despite the tragedy of the earthquake and the unforeseen and unforeseeable damage to the protection works of the Hardinge Bridge over the Ganges, which I have already referred to, we do not anticipate that our working expenses will differ to any great extent from our budget forecast. But for this unlooked for disasters, we would have expected our working expenses to be slightly slower than our anticipations. As these disasters will not, we hope, be of a recurrent nature, we have, with the approval of the Standing Finance Committee for Railways, decided to debit the cost of the damage caused by the earthquake and the Ganges floods to, in the first instance, the Depreciation Fund and reimburse the Depreciation Fund by annual instalments from revenue of 15 lakhs per annum. The debit to revenue will, therefore, be spread over a period of 10 years.

As I have said, we now anticipate that our gross earnings will be about half a crore less than our expectations and our working expenses about the same as our budget estimate, so that our profit or net earnings, should fall short by half a crore of our expectations. This will, however, be neutralised by a fall in our interest charges of about the same amount, our final position, therefore, in respect of our profit and loss-account, should be as forecasted 12 months ago, namely, a loss after paying all charges including interest, of seven and three-fourth crores. We thus hope to reduce our loss on the year's working as compared with last year by about two and a half crores. The loss, as in previous years, will be met by a temporary loan from the Depreciation Fund, which, at the end of this financial year, should stand at eleven and three-fourth crores.

As I mentioned at the commencement of my budget speech, we after weighing up all known factors and taking into account the undoubtedly brighter trade outlook have come to the conclusion that we can look forward to the coming year with a certain degree of optimism. We, therefore, propose to budget for an increase of two and a half crores, or about three per cent. in our gross earnings.

I am afraid, however, that an increase in our working expenses is inevitable. Working expenses may be divided into two parts—those which are dependent on the amount of traffic moved, such as cost of coal, water, oil, wages of the running staff, etc.; these automatically fall as traffic decreases. But the larger portion of working expenses does not necessarily decrease with a fall in traffic, and our endeavour has been to reduce these expenses also to an absolute minimum.

The Council is aware of certain of the measures we have taken to achieve this object, such as the investigations being carried out by Mr. Pope and his Committee, to mention only one of them; but, as time goes on, avenues of economy become fewer and fewer, and a time must be reached when it would be unwise, and indeed unsafe, to proceed further if we are to keep our property in good order.

I do not say for a moment that no further economies can be effected and I can assure the Council that there will be no slowing down of our endeavours, but I do think that the major retrenchments have been achieved.

There is one thing that I am particularly anxious to avoid, and that is the further block retrenchment of staff. The investigations being carried out at present by the Pope Committee will probably make it necessary for Railways to reduce a certain number of staff, but it is hoped that it will be possible to meet most of those reductions by normal wastage and by the additional staff which will be required if our traffic increases, as we hope.

We estimate that our working expense will be increased be about one third of a crore, but this will be offset by a further reduction in interest charges on account of the average rate of interest being expected to be still lower than it was this year. We should, therefore, get the full benefit of our anticipated increase in gross earnings, and we hope at the end of next financial year our loss will be reduced to five and one fourth crores.

I have explained that during the current year there has been a very welcome rise in our goods earnings but that our passenger receipts have fallen off. I think the Council will expect me to say something about the steps which are being taken to counteract this falling off in our passenger earnings. Hon'ble Members will remember that in my budget speech last year I said that there were only two ways of increasing gross earnings—either by an increase in rates and fares or by a reduction in these with the object of stimulating traffic. I indicated that in times of depression the scope for increasing rates and fares was limited.

Now as to the other method, and from the point of view of the public much the more acceptable one, during the year a large number of minor reductions in passenger fares have been made throughout India and after mature consideration and consultations with Railway administrations, the Railway Board have decided to make a large scale experiment by reducing all third class fares on the North Western Railway for distances up to about 460 miles.

It is too early yet to say what the result is going to be. For the first 10 weeks of the experiment there has been an increase in the number of passengers carried, but this has not been sufficient to meet the reduction in fares. We are still hopeful, however, that the travelling public will take more and more advantage of the cheaper travel offered and give us the additional earnings required to justify the decrease. If the experiment fails and we get no increase in traffic, the North Western Railway stands to lose 45 lakhs in one year. If, however, the experiment

should prove to be a success, we shall certainly consider similar reduction on other Railways.

There is one other aspect of passenger traffic that I would like to refer to in passing. During the past few years the Railways of India have endeavoured to get their share of the increasing world tourist traffic. With this object Publicity Bureaus have been established in London and New York. Though it is very difficult indeed to get even an approximate estimate of the traffic that these bring to Indian Railways, our returns show that, year by year, travel in India tends to become more popular. In assessing the value of this work, it must be remembered that, apart from the money spent in railway travelling every tourist leaves a certain amount of money behind in India, which all goes to help trade and industry. It has been estimated that tourists spend at least 60 lakhs in India annually—by no means a small sum in these depressing times.

Further, though our goods earnings have gone up and though we have no reason to think that the present scale of charges is proving a serious handicap to trade, we have not omitted to examine cases where we have considered that there was a possibility of increasing traffic and stimulating trade by a reduction in goods rates. To mention a few examples of this, the East Indian Railway have reduced their rates for wheat from the Punjab and United Provinces to Calcutta, the Bombay, Baroda and Central India Railway have reduced their rates for gains from the Punjab via Bhatinda, the Bengal Nagpur and Madras and Southern Mahratta Railways have introduced special low rates for rice booked to important consuming centres, and the South Indian Railway have also made appreciable reductions in their rates for rice on their own system and for traffic booked to Ceylon.

Though we have been urged by the coal trade to do so, we have not been able to see our way to remove the 15 per cent. surcharge imposed on coal traffic. We estimate that this surcharge has brought us in increased gross earning of about 65 lakhs during this financial year. There has been a steady increase in our coal traffic in recent months, and during the last few weeks the loading of coal has been exceptionally heavy. It has been suggested that the surcharge has had a serious effect on our long distance traffic. Such statistics as we have, do not quite support this. We are, however, arranging to collect further and more detailed statistics to enable us to make a more comprehensive review of the position. If this indicates that there is some substance in the statements which have been made, we shall certainly seriously consider whether it is possible to relieve our long-distance coal traffic of at least a portion of the surcharge.

During the year the Ava Bridge over the Irrawaddy in Burma has been completed. Good progress has also been made on the re-construction of the Nerbudda Bridge on the Bombay, Baroda and Central India Railway, as also the Chambal and Sind Bridges on the Great Indian Peninsula Railway. It is expected that the latter two works will be entirely completed early in the coming financial year. Other works have made good progress.

Our works programme for the coming year is rather more ambitious than that for this year. We expect that we shall require about 14 crores, of which 70 lakhs will be found by a further reduction in stores balances. If these estimates prove correct, our stores balances will come down to 10 crores at the end of 1934-35.

Of the sum of approximately 14 crores of rupees which we expect to spend on works, 867 lakhs will be found from the Depreciation Fund.

I do not propose to go into this programme in great detail. Generally the programme has been designed to carry out the policy we have adopted of only undertaking such works as are necessary for keeping in good order of our property. Though this year we have been able to spend a little more on what, I believe, are popularly called 'passenger amenities', on these works we propose to spend a total of 38.21 lakhs.

From a perusal of questions in this House and also in another place it would appear that the provision of raised platforms is considered one of the most desirable of these amenities. On works of this description we propose to spend just over three and a half lakhs. The main items of expenditure are, however, on track and bridge-works, which from the point of view of the travelling public, may not be of very great interest but which are quite essential if we are to keep pace with the times and give the service which the public have a right to demand. On these works we expect to spend just over five and three-fourth crores.

The other main item of expenditure is on the renewal of rolling stock, both coaching and goods. Additions form a very small portion of our expenditure. The

total under Rolling Stock is just over 3 crores. All these works will benefit the trade and industry of India and, we hope, help towards the recovery which appears to have begun.

TARIFF BILL PASSED

19th FEBRUARY :—After two hours' discussion the Council passed without any change the Tariff Bill relating to miscellaneous goods. There was only one amendment moved by Mr. *Ghosh Maulick* in the schedule regarding domestic earthenware and China porcelain but that too was rejected.

Mr. *T. A. Stewart*, Commerce Secretary, moving consideration, said that it was not possible to take immediate action under the Safeguarding of Industries Act passed a year ago. Between 1931 and 1933 there had been a remarkable increase in imports and case for protective duty was obvious. Doctors Matthai and Meek, who were placed on special duty, carefully examined the claims of various industries for protection. The present Bill represented a fair compromise. On the one hand sufficient protection was given to industries and on the other this protection was not at the expense of the taxpayer.

Mr. *Hossain Imam* was the only opponent. Mr. *Stewart*, replying, assured that the case of agriculturist was never overlooked, and the Bill was passed. The House then adjourned.

DEBATE ON RAILWAY BUDGET

20th. FEBRUARY :—Mr. *Ramsaran Das*, leader of the Progressive Party, initiated the debate on the railway budget in the Council to-day. He said that three-and-a-half crores of public money had been wasted on the Sara Bridge and urged that an independent commission should go into the question of who was responsible for the negligence. He criticised the purchase of sleepers and other articles and urged savings wherever possible, particularly in the workshops. He also emphasised the need for consideration of wagon and coach buildings on all railways which might result in savings. He felt that Indianisation in workshops and engineering was meagre and almost negligible, however gratifying the appointment of an Indian Agent of the Eastern Bengal Railway might be. He strongly protested against expenditure on strategic railways and thought that it should be borne by the Army. He pointed out that ordinary British soldiers had been allowed to travel second class on payment of a third class fare and the material belonging to the Army was transported at reduced rates. This, he said, was a contribution to the Army through the back door. Indian railways, he added, allowed concessions during Christmas and Easter while such concessions were refused during big Indian festivals at Ajmere or Hardwar.

Sir *K. V. Reddi* did not agree with Mr. *Ramsaran Das* regarding the concessions given to the army for such expenditure would in any case be borne by general taxpayers. He urged the Government to undertake the construction of capital works as that was the only way of making cheap money pass into the hands of the people and increase their purchasing power. In fact this was the opinion of the World Economic Conference. Besides enquiry by Mr. Pope, he supported periodical departmental overhauling as suggested by the Retrenchment Committee. Referring to the road competition, he spoke of what the Minister of Communications did in South Africa in recent years and supported Government's efforts to check cut-throat competition.

Rai Bahadur P. C. Dutt narrated at length the grievances of the travelling public using the Assam Bengal Railway, while *Sir Akbar Khan* complained of low platforms on most of the stations in the Frontier Province, particularly Mardan. He urged certain new railway connections at important trade centres in the Frontier.

Mr. *Mahmood Surahwardy* pleaded for provision of electric fans in third class compartments. He said while two fans were provided for three or four upper class passengers, at least an equal number be set up in a carriage accommodating fifty to sixty third class passengers. He pointed out that this would not involve additional expenditure as electricity could be generated through the motion of trains.

Mr. *J. B. Glass* (European non-official) urged the Government seriously to consider utilising cheap money and labour available at present for more construction programme.

Mr. *Hossain Imam* asked for a special day to discuss the statutory railway authority. He urged standardization of all railways and closer co-operation between

railways and local Governments. He opined that the Railway Board should be careful in undertaking new construction which should be in keeping with reduced earnings.

Mr. B. K. Basu thought that efficiency could not be risked for the sake of Indianisation.

Sir Joseph Bhore's reply to the debate was substantially the same as yesterday's speech in the Assembly as most of the points raised were similar. He believed, judging from railway earnings, that there was every room for optimism as the period of depression was over. He stated to Rai Bahadur Ramsaran Das that there was no use of appointing an enquiry committee over the Ganges bridge as that would be like sitting in judgment over the actions of Province. He assured the same member that the coal tender was given without his own express orders (applause). The Railway Member could not accept the suggestion that road bridges should be constructed along with railway bridges. He informed Sir K. V. Reddi that new scales of pay would be applied to new entrants almost immediately. Concluding, Sir Joseph Bhore reiterated his remarks that Indian railways could meet the competitive challenge of rivals only by increasing their utility. The House then adjourned till the 26th.

NON-OFFICIAL RESOLUTION

26th. FEBRUARY:—Non-official resolutions were discussed in the Council to-day. Mr. Vellinguri Gounder moved a resolution recommending protection of the silk-rearing and silk-weaving industries by imposing 100 per cent duty. The mover stressed that sericulture played an important part in the economic life of the country and this industry satisfied the conditions prescribed by the Fiscal Commission for protection.

Sir Kurma Reddi pointed out that sericulture was a subsidiary industry which could improve the lot of poor agriculturists.

Mr. T. A. Stewart, replying, observed that the recommendation of the Tariff Board regarding sericulture had been accepted by the Government and a Bill to that effect will be introduced in the Lower Chamber. He, therefore, opposed the motion.

Rai Bahadur Lala Rasaran Das, Mr. Hossain Imam and Mr. Jagadish Banerjee supported it. The motion was eventually withdrawn.

Mr. Hossain Imam moved a resolution urging revision of the new scales of pay and the imposition of 20 per cent cut on old scales until the index number (Calcutta) reaches the 1930 figures.

The resolution was rejected and the House adjourned.

OFFICIAL BILLS PRESENTED

27th. FEBRUARY:—The Council met to-day at 5 p. m. when Sir Alan Parsons presented the statement of the estimated expenditure and revenue for 1934-35 in respect of subjects other than railways.

The Secretary laid on the table the *Cotton Textile Industry Protection Amendment Bill of 1934*, the *Wheat Import Duty Extending Bill of 1934*, the *Steel and Wire Industries Protection Extending Bill of 1934* and the *Medical Council Amendment Bill of 1934* as passed by the Assembly.

GENERAL DISCUSSION OF BUDGET

5th. MARCH :—General discussion of the budget commenced to-day. Lala Ramsarandas, leader of the Opposition, was the first to speak upon the subject. He objected to the Government balancing the budget by increased taxation instead of reducing the expenditure. The agriculturist was hard hit as, in order to pay land revenue and meet his creditors' bills, he had to sell his commodity as twice the quantity. The imposition of an excise duty on sugar was unjustifiable except for revenue purposes. He regretted that the surcharges imposed in November, 1931, were still continued. With such heavy taxation, why should the Government not reduce military expenditure further or at any rate press for a more equitable relief to Indians in the matter of capitation charges than a paltry sum of two crores? As for retrenchment in civil administration, the Government had done everything in the lower ranks, but not in respect of the Services controlled by the Secretary of State. He asked how long they would take to come to a decision. Incidentally, he referred to the budget provision for civil aviation and thought that thirteen lakhs was insufficient and that the Government should do more to make India air-minded and introduce air services on the same scale as other countries. He

also objected to the continuance of the eighteen-pence ratio and referred to the growing unemployment, particularly among educated classes, and asked the Government to rest content with expressing sympathy. Industrialisation of the country was needed, but this was not possible unless the control of the administration was in the hands of Indians.

Mr. *Mahmood Suhrawardy* thanked Sir George Schuster for conceding to Bengal at least half the jute tax which had been imposed only as a War measure and should not have been used by the Central Government for revenue purposes. Sir George Schuster's help to Bihar had caught the imagination of the people and the fact that he had not raised the duty on salt had proved that he was a better Swarajist than Swarajists themselves. But, he asked, what about the export of gold? Why was there no export duty? He also wanted a reduction in post card rate to half an anna.

Sir Hormusji sympathised with Sir George Schuster who, he said, throughout his regime had to face exceptional difficulties more than any previous Finance Member. He agreed that the excise duty on sugar was the easiest form of getting revenue in order to recoup the losses which the Government had to meet. (Lala Ramsarandas, Question?) But the margin of profit for the sugar-millowner after this duty would be very little, particularly in the case of those mills which were not equipped with modern machinery.

Sir Homi Mehta appealed to Sir George Schuster to reduce the proposed excise duty by a half. The advantage arising from this was that there would be some margin of profit which the Government could collect in the shape of income-tax or super tax. Referring to the diversion of seaborne traffic to Kathiawar, affecting Bombay, Sir Homi Mehta took imported cotton alone and estimated that something like fifty lakhs annually accrued to Bhavanagar which should go to Bombay. He did not mind this if there were mills in Kathiawar State to use cotton. Obviously it was sent to mills in British India, but through Kathiawar ports. He asked Sir George Schuster "why not ask the mills themselves to pay a tax on imported cotton? That would be the easier method of checking the menace of diversion of traffic. Sir Homi Mehta congratulated the Commander-in-Chief's department on reducing military expenditure but regretted that the civil departments had not shown equal zeal. As for the windfall which Bengal secured from Sir George Schuster Sir Homi Mehta explained how Bombay had given effect to all the retrenchment proposals and even reduced the number of Executive Councillors unlike Bengal. He wanted the Government of India not to put a premium on inefficiency.

Mr. *Narayanaswami Chetty*, in an imperfectly heard speech, was understood to have disapproved the imposition of the duty on matches, objected to the continuance of the surcharges and supported the reduction in the rates for telegrams. He, however, wanted a reduction on post-card rates to half anna. He also objected to taking the poorman's matches for giving relief to Bengal in order to put down terrorism. He suggested the imposition of a prohibitive import duty on rice and urged further retrenchment in the civil administration so that really a surplus might result.

Mr. *Ernest Miller* strongly protested against Government deciding to utilize the proceeds of sugar duty to give rebate to certain provinces, mainly Bengal, which had to pay excise duty on jute, which was produced only within certain restricted area and nowhere else in India. It was a wrong principle to levy an all-India tax to give relief to Bengal. Referring to the position of Bombay, Mr. Miller said that the diversion of imports into India to Kathiawar ports was a growing menace and would end in an irretrievable disaster if prompt action was not taken by the Government of India. The loss of the town duty on cotton would cost the Government of Bombay about ten lakhs of rupees annually and the Corporation only a little less, which none of them could afford. The Government of India could make no better use of the part of their receipts from the new match taxation than by allocation to Bombay of a sum necessary to cover the loss of revenue which the latter would have to undergo if they gave up the town duty. Continuing, Mr. Miller said that the most important matter requiring investigation was redistribution of portfolios and urged the appointment of a Member for communications, who would hold charge of railways, roads, airways, waterways, posts and telegraphs.

Sir Mohamed Akbar said that the imperative need was the abolition of excessive taxation and stimulating export trade.

Sir Suleman Cassum Haji Mitha said that the limit of maximum taxation had been reached, as was established by diminishing returns. He thought that the reduction of the silver duty was long overdue. The excise duty on matches would considerably retard the match industry, which was still of infant growth. Bombay had a great share of the match industry, and the proposal that the excise duty on matches would be given to Bengal was a novel procedure with which Bombay could not reconcile. He also emphasised Bombay's dire necessity for financial relief and the mere fact that she had balanced her budget should not stand in the way of granting relief from the centre.

Sir George Schuster said that no reduction of military expenditure was possible without reducing the fighting strength. And if this was contemplated then not only the British but the Indian personnel would be effected and the purchasing powers of that class would be lowered. Regarding Bengal he made it clear to the Council that the case was exceptional and the proposal to remit half the jute tax was based on Sir Walter Layton's report which had been discussed by the Round Table Conference. There was no question of putting a premium on extravagance or efficiency. The Government knew perfectly well that Bengal's financial situation was becoming unmanageable.

OFFICIAL BILLS

6th. MARCH :—Official bills were discussed in the Council to-day. On a motion by Mr. T. A. Stewart, Commerce Secretary, a bill further extending the operation of the Wheat Import Duty Act for one year was taken into consideration. *Rai Bahadur Lala Ramsaran Das* welcoming the measure suggested that it might be made a permanent bill. Hearty support was accorded to the bill by all sections of the House and the Bill was passed unanimously.

Sir Fazli-Hussain moved for consideration of the bill amending the Indian Medical Council Act of 1933 which was passed without opposition.

Mr. Stewart then moved that the Cotton textile Industry Protection Amendment Bill be taken into consideration and the Bill as emerged from the Lower Chamber was passed. The House then adjourned.

NON-OFFICIAL RESOLUTION

7th. MARCH :—Several non-official resolutions were discussed to-day in the Council. *Rai Bahadur Lala Jagadish Prasad* through a resolution urged that recruitment in the Indian Medical Service should in future be made by means of open competitive examinations held simultaneously in England and India. He stressed that unless the present system of recruitment by a Selection Board constituted in a ratio of two Europeans to one Indian, be substituted by a competitive examination or the percentage of British recruitment be lowered, the Indianisation of the Service could not make progress.

Sir N. Choksey accorded a hearty support to the resolution and observed that the recommendations of the Lee Commission should be abolished.

Mr. Sprawson observed that Indianisation was advancing fairly and at a rapid speed.

Sir Fazl-i-Hussain promising to forward the debate to the Secretary of State, the resolution was withdrawn.

Mr. Mahmood Suhrawardy moved a resolution seeking to provide the members of the House with "Gold Passes" instead of the travelling allowance granted to them. After some discussion the resolution was rejected.

After Mr. Hallet's reply, *Mr. Jagadish Banerjee* withdrew his resolution urging the introduction of substantially reduced scales of pay for the Imperial Services. The mover pointed out that while on the recommendation of the Retrenchment Committee, the Government of India accepted reduced scales of pay for the subordinate services, there has been no reduction in the salary of officers under the Secretary of State's control. He said it was high time that the "Lee Loot" should be stopped.

Rai Bahadur Lala Ramsaran Das's resolution recommending the donation of one crore of rupees to the Viceroy's Earthquake Relief Fund for helping the reconstruction of private and public buildings in Bihar was defeated by 26 votes to 8.

Sir Alan Parsons, Finance Secretary, revealed the plan which the Government of India had in mind with regard to offering assistance to Bihar. In addition to the

free gift of Rs. 129 lakhs the Government of India undertook to bear half the cost of the reconstruction of Government buildings in Bihar. It was impossible, he stated, to say until they knew how much more help would be necessary to supplement the private donations and what measures they would have to take.

On the motions of *Rai Bahadur Lala Mathura Prasad Mehrotra*, the *Khuldan Name Protection Bill* was taken into consideration and passed in the form in which it emerged from the Lower House. The House then adjourned till the 12th.

NON-OFFICIAL RESOLUTIONS

12th. MARCH :—The Council of State adopted a resolution of condolence conveying sympathy and sorrow of the House to the bereaved family of Sir Thomas Ryan.

Rai Bahadur Jagadish Prasad moved a resolution recommending to the Governor General-in-Council to (1) undertake a thorough survey of the position of Indian industries, including cottage industries and collect statistics of the existing industries in order to find out the exact position as regards the industries pursued, the quantities and values of products manufactured, raw materials utilised, the number of persons employed and wages paid, the motive power and other particulars usually collected in advanced countries, and (2) to place the results at the disposal of the public and to take other necessary steps to secure expansion of industries in the country.

Sardar Buta Singh, *Kumar Nripendra Narayan Sinha*, and *Lala Ramsaran Das* accorded whole-hearted support to the resolution.

Replying *Mr. Mitchell* said that Government was just as anxious as the mover of the resolution to secure the objects that the motion had in view. He referred to various economic enquiry Committees appointed by the Government from time to time and the steps the Government was taking in this behalf. The motion was withdrawn in view of the sympathetic reply of the Government.

Lala Mathura Prasad Mehrotra's resolution urging the Government Members in charge of important bills to move for reference of their bills to Joint Select Committees of both Chambers of the Central Legislature was defeated by 30 against 10 votes after a good debate on the motion.

Next *Syed Hossain Imam* moved a resolution urging the formation of a committee of experts and members of the Central Legislature for each of the State-managed Railways separately to investigate and report on the measure of economy. The debate had not concluded when the House adjourned till the 14th.

14th. MARCH :—Consideration of *Syed Hossain Imam's* resolution urging the formation of a Committee of experts and the members of the Central Legislature for each of the State-managed railways separately to investigate and report on the measures of economy was resumed. The mover asserted that the Railways were mismanaged and there were many cases of extravagance.

Mr. Satyendra Chandra Ghose Maulik observed that the appointment of such committees would prove a burden on railway finances now.

Replying, *Sir Guthrie Russell* said that the railways were carrying out the recommendations of the Retrenchment Committees and all possible economies were being effected.

In view of the sympathetic reply of the Government, the motion was withdrawn.

Syed Hossain Imam next moved another resolution recommending that papers of the Joint Parliamentary Committee on Indian Reforms be laid on the table of the House.

Syed Hosain Imam in moving his resolution referred to the inordinate delay that the deliberations of the Joint Parliamentary Committee were taking and also pointed out that people were anxious to know when reforms would come.

Replying, *Sir Fazli Husain* said that the resolution did not demand anything in particular and it was in many respects vague. As for the introduction of reforms, he said that it would be expedited as early as possible. After some discussion the resolution was withdrawn.

Rai Bahadur Lala Ramsaran Das moved the resolution recommending that the proportion of communal representation of the employees in the State Railways be on population basis. He said that the Government were not strictly following any definite rule.

Mr. B. K. Basu, opposing the motion, said that such resolutions excited communal jealousy.

After *Sir Guthrie Russell's* assurance of fullest consideration of all the criticisms made, *Rai Bahadur Lala Ramsaran Das* withdrew his resolution.

Rai Bahadur Lala Mathura Prasad Mehrotra then moved a resolution for establishing an Imperial Council of Co-operation on the analogy of the Imperial Council of Agricultural Research.

After *Sir Fazl-i-Hussain* had pointed out the financial difficulties, the mover withdrew his motion. The House then adjourned till the 19th.

19th. MARCH—Two non-official resolutions were discussed in the Council of State to-day. The House adopted a resolution conveying sympathy and condolence to the bereaved family of *Raja Sir Moti Chand*, ex-member of the Council of State.

Rai Bahadur Lala Jagadish Prasad moved a resolution urging that the Indian delegations to the Imperial and International Conferences should in future be composed of and led by Indians alone. The resolution was, however, withdrawn.

The House adjourned till the Finance Bill passes out of the Lower Chamber.

DEBATE ON THE FINANCE BILL

29th. MARCH :—The Council disposed of the Finance Bill to day when non-official attendance was very thin. About nine amendments were moved by *Rai Bahadur Mathuraprasad Mehrotra* and *Mr Jagadish Prasad* practically repeating some of those which were defeated in the Lower House. *Rai Bahadur Mehrotra's* proposal to abolish the levy of tax on salt manufactured in British India was met with a short shift from *Mr. Taylor*, who pointed out that this so-called modest amendment would cost six and one fourth crores.

The next amendment by the same member to reduce the salt tax from one and a quarter rupees to one rupee, supported though it was with quotations from the views of *Mr Ramsay MacDonald* and others, was ultimately rejected by the House on hearing *Mr. Taylor*, who emphasised that the amendment would entail the loss of one and three-fourth crores.

A third amendment related to the rate on letters. *Rai Bahadur Mehrotra* suggested one anna for letters weighing one tola instead of half a tola proposed in the Bill. He emphasised that enhanced postal rates had invariably led to a drop in circulation and the consequent loss of revenue. If the initial minimum weight was left at one tola, there would be increased circulation.

Mr. Jagadish Prasad supported, observing that it would help the people in villages.

Sir Frank Noyce exhaustively reviewed the financial position of the Posts and Telegraphs Department and paid tribute to the valuable work done by the late *Sir Thomas Ryan*. He assured the House that the Government had adopted measures of retrenchment and economy and believed that with the help of recommendations of the Varma and Pasricha Committees they would be able to place the finance of the Department on a sound footing.

The present proposal for one anna letters was itself an experiment and they hoped it would result increased circulation. If, however, the result proved that they were unduly pessimistic, then it would be all to the good, as that would bring appreciably nearer the day for reduction of the price of postcards.

Mr Hossain Imam supported the amendment, which was pressed to division and rejected by 7 against 30 votes.

Rai Bahadur Mathuraprasad Mehrotra's proposal for half anna postcard found some support in the House. He wanted the Postal Department to be regarded as a public utility concern and not so much as a commercial department as the telegraph or telephone.

Sir Frank Noyce said that Government did not want the Postal Department to be run at a loss, but merely pay its way. The amendment was withdrawn.

Rai Bahadur Mehrotra moved an amendment proposing the removal of surcharge on income-tax which was imposed in 1931 as an emergency measure.

Syed Raza Ali opposed it as being intended to suit the capitalists and landed and other vested interests in the country which were very largely represented in the House. He urged that the House should realise its position as a revising chamber and not do anything which would create an impression among the public that it was solicitous promoting the interests of its own members. Such an impression on the eve of constitutional changes would have a very bad effect.

Mr. *Hossain Imam* supported the amendment, on the ground of refusal of supplies and twitted Mr. *Raza Ali* for not supporting the amendment for reduction of postal rates, but speaking now on behalf of the poor over this amendment.

Mr. *Taylor* drew attention to the fact that the amendment, if accepted, would mean a loss of 270 lakhs. The motion was lost.

Mr. *Jagdish Prasad* moved an amendment for exemption of tax on incomes below Rs. 1,500. He claimed that the loss of twenty-one lakhs was well worth a trial when it was principally for the benefit of a large number of poor people. Mr. *Taylor's* objection was on principle. He held that the present system was to balance the burden evenly on all classes. Incidentally he reminded the House of the benefits enjoyed under the Hindu joint family system. The amendment was rejected.

During the third reading, Mr. *Kalika* opposed the Bill in toto as a protest against rejection of reasonable amendments.

Mr. *Hossain Imam*, Mr. *Abdul Azeez* and Mr. *J. B. Glass* also spoke. Mr. *Taylor* promised to examine all suggestions. The Bill was passed without alteration.

THE SALT IMPORT DUTY ACT

The Bill extending the operations of the Salt Additional Import Duty Act for another years (as passed by the Assembly) had an easy passage to-day in the Council.

Mr. *Hossain Imam* and Mr. *Mathraprasad Mehrotra* objected to the papers on the subject not being given earlier, and thereby enabling the members to study them.

Mr. *Taylor* promised to see that in future these were supplied as early as possible.

Mr. *Hossain Imam* wanted the Bihar Government to develop the salt industry on the Orissa sea coast.

Mr. *Mahmud Suhrawardy* wanted revival of the salt industry in Bengal.

Mr. *Narayanaswami Chetty* regretted that none from the Council had been appointed to the Committee on the Bill. He wanted development of markets for Indian salt, particularly for Madras salt.

Mr. *Taylor* promised to examine any scheme which the Madras Government might submit.

The Bill was passed.

Sir Fazli Hussain said that the House could sit only on the date to be announced after the bills, now before the Assembly, particularly the States' Protection Bill. The House then adjourned.

THE PRINCES' PROTECTION BILL.

12th APRIL :—After a respite of fourteen days, the Council of State met to-day to transact official business. The *Princes' Protection Bill* as passed by the lower Chamber yesterday, was laid on the table of the House.

On a motion by *Sir Fazli Hussain*, the *Indian Port Trusts Amendment Bill* was taken into consideration and passed unanimously. *Sir Fazli* explained that the Bill sought to extend the status of trustee of securities to debentures issued by the Land Mortgage Banks and similar other Corporation.

Lala Jagadish Prasad and *Sir David Devadoss* whole-heartedly supported the measure. The House then adjourned till the 16th.

16th. APRIL :—When Mr. *Hallet* moved for consideration of the States' Protection Bill, Mr. *V. Kalika* observed that he was not in a position to support the Bill unless there was an improvement in maladministration of the Indian States, and public opinion press criticism of their administration be left unstilled.

Sardar Jagannath Maharaj asked for liberalisation of the political constitution of the States.

Sir Akbar Khan was in agreement with the principle of the proposed measure.

The Law member, the Home Member and the Home Secretary stood up several times to reply Mr. *Hossain Imam* when he was speaking on the various implications of the Bill and the conditions now prevailing in the States. He doubted if enactment of the drastic provisions embodied in the Bill will benefit the princes.

Sayed Mahammad I'adsha, *Bhuta Singh*, and *Raza Ali*, all spoke supporting the Bill. *Lala Mathura Prasad Mehrotra* did not see the necessity of passing such legislation.

Lala Ramsarandas, while not opposing the Bill, wanted to see that the rights of the subjects of the Indian States were adequately safeguarded.

After *Sir Harry Haig's* reply the motion for consideration of the Bill was passed, and the House adjourned.

PRESIDENT'S IMPORTANT RULING

The President, *Sir Maneckji Dadabhoy*, gave an important ruling regarding questions and in the case of absentee members how questions standing in their names should be disposed of. He ruled :—

"In order to avoid any misunderstanding in future, on this very important point, I have decided that in all the points of substance the Assembly practice might suitably be adopted i. e., a member desiring to put a question for the absent member should in all cases be required to produce written authorisation from the absent member and hand in the same to the President before the commencement of the meeting at which the question is to be put.

"I trust, this ruling of mine, which is in consonance with the precedence elsewhere and with the practice now prevailing in the Assembly, will be followed by the honourable members of this House, as it will, on one hand, discourage the habit of sending the string of questions and the members failing to be present in their places when those questions come up before the House, and on the other hand, it will tend to the establishment of uniformity of practice, both in the Council of State and in the Legislative Assembly, and further, such written authorisation will absolve members, who act as proxies, of personal responsibilities naturally arising from asking such a question."

In giving the above ruling, the President exhaustively surveyed the practice followed in the Parliament and other places.

17th. APRIL :—When the second reading of the Princes' Protection Bill was taken up in the Council of State, *Mr. Hossain Imam* vehemently opposed clause II, relating to conspiracy against States.

Rai Bahadur Lala Mathura Prasad Mehrotra did not see the utility of the provision, when the Princes already enjoyed some protection under the existing Act. The clause was, however, adopted.

Rai Bahadur Lala Jagadish Prasad's amendment for deletion of clause III penalising the Press was disallowed by the President.

Lala Jagdish Prasad, *Mr. Kalikar* and *Mr. Hosain Imam* opposed the clause. *Mr. B. J. Glancy* pleaded that the provisions were necessary. The clause was carried by 31 against 6 votes. The remaining clauses were passed one after another.

On the third reading of the Bill *Rai Bahadur Mehrotra*, and Messrs. *Kalikar*, *Hossain Imam* and *Mohamad Padshah* made speeches opposing the Princes' Protection Bill.

Mr. Raza ali supported the Bill. After *Mr. Hallett* had given reply the Bill was passed. The House then adjourned till April 20.

THE TEXTILE PROTECTION BILL

20th. APRIL :—The Council met to-day to consider the Textile Protection Bill as passed by the Assembly.

Mr. Stewart, Commerce Secretary, moving the consideration of the Bill, referred to the salient features of the Bill and said that the delay in coming forward with this measure after the Tariff Board had reported was due to the depreciation of the Yen and negotiations with the Japanese delegation.

As for the period of protection to the industry as a whole, Government fixed 5 years as being reasonable because any longer time would only give the industry a feeling of complacency. Two occasions would arise during this period in which reconsideration of the duties would be necessary. Firstly, when the Indo-Japanese Agreement of three years ended, and secondly, the determination of the basic rate of duty on cotton piecegoods of British manufacture if the surcharge imposed by the Finance Act of 1931 was removed.

As for the sericulture industry protection was given for five years, and *Mr. Stewart* emphasised the change made in the Select Committee for 25 per cent. 'ad valorem' plus 14 as per pound. This was considered an equitable basis of taxation.

Before the House proceeded to discuss the motion, the *President* cleared the ground by ruling out the amendment tabled by *Rai Bahadur Mathuraprasad Mehrotra* for circulation of the Bill.

Lala Ramsaran Das, Leader of the Opposition, considered the hosiery section of the Bill would do India, especially his province of the Punjab, a lot of good as the Punjab had full hosiery cottage factories.

Sir Josheph Bhore, intervening in the debate, explained fully the implications both of Bombay Lancashire and Indo-Japanese agreements which formed the framework of the Bill. He had little doubt that the agreement would go a great way to cement a spirit of goodwill and friendliness between the two countries and both would be able to work out their national destiny. As for the Indo-Japanese agreement he related the critical circumstances under which they had to work to reach conclusions.

Rai Bahadur Jogadish Prasad approved of Indo-Japanese agreement but stressed the necessity of imposing compulsory obligation on Lancashire to purchase a fixed minimum quantity of Indian cotton.

21st APRIL —*Syed Hossain Imam* continued his speech on the Textile Protection Bill to-day. He wanted the handloom weaver to be given greater aid than proposed by the Government. *Sir N. Choksy* supported the motion for consideration.

Mr Stewart, Commerce Secretary, in a brief speech replied to various points raised during the discussion. The motion for consideration was adopted.

Though there were eleven amendments, only three were moved. In the first amendment regarding cotton twist and yarn and cotton sewing or darning thread, *Mr. Hossain Imam* suggested a uniform duty of five per cent advalorem on counts above fiftys and five per cent or one-quarter annas per pound advalorem on counts of fiftys and below. After *Mr Stewart's* reply the amendment was lost.

Two more amendments, one by *Rai Bahadur Ramsarandas* and the other by *Mr. Hossain Imam* were withdrawn. Without any discussion at the third reading the Bill was passed.

Mr Mitchell, Industries Secretary, moved a lengthy resolution regarding the administration of roads which was already adopted in the Assembly on the motion of *Sir Frank Noyce* after a short discussion. The resolution was passed. The House adjourned till the 26th.

OFFICIAL BILLS

26th APRIL :—The Council of State met after the Muhurram holidays to consider four bills passed by the Assembly, namely, the Trades Disputes Act Amending Bill, the Sugar Excise Bill, the Sugarcane Bill and the Match Excise Duty Bill.

Sir Fazl Hussain referred to the death of *Sir Sankaran Nair*, an ex-Member of the Council of State, and said that his rise to the front rank of politics of India was proved by the fact that he was elected President of the Indian National Congress. *Sir Sankaran Nair* had independence of outlook and believed in his own judgment.

Sir David Devadoss, *Mr. Hussain Imam*, *Mr Raza Ali*, and *Mr Narayanswami Chettiar* all joined in paying tribute to the outstanding personality of the late *Sir Sankaran Nair*.

The President, associating himself with the remarks of others, said that *Sir Sankaran Nair* was a very straightforward and a masterly personality and had sterling independence. He would communicate to his relatives the condolence of the House.

Mr. Mitchell moved the consideration of the Trades Disputes Act Amending Bill, making the Act permanent.

Mr Hossain Imam complained that by bringing forward a measure for making the original Act permanent the Government had deprived the members of moving any amendment to the Act.

Mr Mitchell assured that it would be possible to bring an amending bill after some time. The Bill was passed.

Sir Alan Parsons, moving the consideration of the Sugar Excise Duty Bill as passed in the Assembly, explained the underlying principles and emphasised that the Government is not taking one pie more on taxation than was needed, and

pointed out that the excise duty was within the limits of protection as recommended by the Tariff Board.

After *Sir Alan Parsons* had replied the notice for consideration of the bill was passed.

Several amendments were then moved by *Rai Bahadur Mathura Prasad Mehrotra* which were either withdrawn or defeated.

An amendment seeking to lower the duty from Rs 1-5 to Re. 1. was lost by 25 against 5 votes.

On the third reading of the Bill *Mr Hossain Imam*, *Rai Bahadur Mehrotra*, *Rai Bahadur Lala Ramsarandas* and *Sir Fazl Hussain* spoke. The Bill was then passed.

Sir Fazl Hussain thereafter moved for consideration of the Sugarcane Bill.

Rai Bahadur Lala Ramsaran Das opposed the Bill and *Maharajadhiraja Darbhanga* pointed out the practical difficulties in the application of the Bill.

Rai Bahadur Lala Jagadish Prasad and *Sayed Mohammad Padshah* supported the Bill. The House then adjourned.

27th. APRIL .—The budget session of the Council of State was concluded to-day.

When the consideration of the Sugarcane Bill was resumed *Rai Bahadur Mathura Prasad* complained that the Bill contained permissive clause for enabling the provincial Governments to legislate for the fixation of the price of sugarcane according to local conditions which might put some provinces at a disadvantage. The clauses were put before the House and were adopted.

Rai Bahadur Lala Ramsarandas, *Mr. Hossain Imam*, and *Rai Bahadur Mathura Prasad Mehrotra* opposed the Bill on its third reading but it was, however, passed.

Sir Alan Parsons, moving for consideration of the Match Excise Duty Bill, observed that revenue from this source was necessary to give assistance to Bengal, Bihar and Assam, the provinces which produced jute.

Mr. Hussain Imam opined that this source of revenue ought to be left untapped till the proposed Federation comes into existence when more revenue will be required.

The motion for consideration of the Bill being passed, the clauses were accepted and the Bill was passed.

Mr. T A Stewart's motion that the Ottawa Committee to enquire and report the results of the Ottawa Agreement be consisted of *Sardar Buta Singh*, *Messrs S. C. Ghose Maulik*, *Hossain Imam*, *V. V. Kalikar*, *E. Miller*, *Raza Ali*, *Sir Alan Parsons*, *Mohammad Padsah* and the mover was postponed till the next session of the Council. The House then adjourned *sine die*.

THE LEGISLATIVE ASSEMBLY

Budget Session—New Delhi—24th. January to 21st. April 1934

The Budget Session of the Assembly opened at New Delhi on the 24th. January 1934 with *Sir Shanmukham Chetty* in the chair. Party seats were arranged on the new basis. The important part of to-day's business related to a long statement by *Sir Harry Haig* on the earthquake situation and a motion by *Sir B. L. Mitter*, Leader of the House, expressing sympathy with the sufferers and appealing to the Government, the princes and people of India for help to the sufferers.

EARTHQUAKE DISASTER

Answering a short notice question of *Babu Gaya Prosad Singh* regarding the earthquake disaster, *Sir Harry Haig* said that outside three chief towns the death roll was estimated at 700 and the Governor of Bihar hoped that the total deaths in the province would not exceed 4,000. As regards property no less than half of the brick houses had been reduced to ruins in the affected towns, the Government buildings suffered heavily and in one town alone the Government buildings valued at Rs. 30,00,000 were destroyed. The railways suffered the loss of Rs. 50,00,000 at Jamalpur alone. The local bodies and the district boards suffered heavy losses owing to the destruction of dispensaries, hospital and school buildings, roads and bridges. It was impossible at the present stage to give the total estimates of the losses to property of the public, the Government or the railway and the local bodies. There had been considerable damage to the standing crops but a most serious situation had arisen owing to the fact that half of the sugar mills had been put out of action. No less than 200,000 acres were under sugarcane which was the most profitable crop in the area.

Sir Harry Haig paid a tribute to Bihar Government and the officials for the steps taken to meet the unprecedented calamity. Relief measures on an extensive scale were undertaken. The Tatas despatched a special train with iron sheets and foodstuffs and the Commander-in-Chief had given full help by lending army tents and giving the services of sappers and miners to remove the debris. A detachment of the East Yorkshire Regiment had also rendered valuable help. Clothing was a great necessity and already 10,000 blankets had been sent. The B. N. W. Railway was making strenuous efforts to restore communications. Doctors were sent everywhere to render medical aid, tube-wells were being sunk and wells were being disinfected. *Sir Harry Haig* hoped that the prompt and generous response to the Viceroy's appeal would help further relief to the sufferers. His statement could give only an approximate estimate. The extent to which the Government of India might assist the Bihar Government financially could not be decided until the full extent of the damage was more accurately known. Still less was it possible to say what remission of the Government demand in the affected area would be possible unless the extent of the damage to the agricultural land was known. This primarily was a question for the local Government who would undoubtedly give a more careful consideration.

ASSEMBLY'S SYMPATHY WITH PEOPLE OF BIHAR

Immediately following *Sir Harry Haig's* statement *Sir B. L. Mitter*, Leader of the House, moved a resolution placing on record the Assembly's deep sympathy with the people of the province of Bihar and Orissa and other areas in their distress in consequence of the severe earthquake that has caused widespread suffering and distress in the areas affected and requesting the President to convey their sympathy to the sufferers. The resolution also expressed confidence that the Government as well as the Princes and people of India would do all it lies in their power to help alleviating the distress of the sufferers. *Sir B. L. Mitter* said that this was not a party question and he hoped that the efforts of the public authorities and private agencies would be co-ordinated with a view to avoid overlapping and the maximum amount of relief would be available.

Sir Abdur Rahim, leader of the Independents, heartily endorsed the appeal made. The extent of the damage had been colossal and whatever was necessary to rescue the people in the stricken areas should be a great burden on the Governments, both provincial and central. Fortunately, private enterprise and philanthropy was not lacking. But in planning out the restoration of towns care should be taken so that there might be no recurrence of such an unprecedented suffering and houses be built of such material as would resist such shocks.

Mr. Jadhav, on behalf of the Democratic party, was glad that the Government of Bihar welcomed the cooperation of Congressmen in measures of alleviation.

Sir Leslie Hudson, on behalf of the European group and the entire European community in India, assured response both in money and kind.

The President associating the Chair with the sentiments expressed referred to the magnitude of the disaster even from meagre information and said that the response to the Viceroy's appeal was already very encouraging. Besides expressing sympathy by this resolution every member of the House should show individual sympathy by not merely subscribing himself but persuading his friends and members of the constituencies to do likewise. *Sir Shanmukham Chetty* promised to convey the resolution to the Governor of Bihar.

TWO BILLS INTRODUCED

Sir Joseph Bhore introduced two bills, the first extending the life of the existing Acts till the end of October for the purpose of fostering and developing the steel industry and the wire nail industry in British India and the second extending the Wheat (Import Duty) Act till March 31, 1935.

SELECT COMMITTEE ON TARIFF BILL

Sir Joseph Bhore next moved for a select committee on the Tariff Bill consisting of Mr. B. Das, Mr. S. C. Sen, Mr. Mody, Dr. Ziauddin, Mr. S. C. Mitra, Mr. B. P. Bagla, Mr. Ramsay Scott, Bhai Parmanand, Mr. Wazihuddin, Mr. Ghaznavi, Mr. DeSouza, Sir Frank Noyce and the mover with instructions to report within a week. He said that the consideration which induced the House to pass the Safeguarding of Industries Act last year was a necessary justification for the measure before the House. The Industries concerned had to face an abnormal competition from Japan grievously enhanced by a heavily depreciated currency. After the budget session last year the Government issued an elaborate questionnaire to all industries and various chambers of commerce and as a result of thorough consideration by the Tariff Board they came to the final conclusion that the industries required action under the Safeguarding Act. In short, this Bill represented the conclusions then arrived. He quoted several illustrations to dispel any lingering doubts about the extent of the competition which the industries had to face. While imports had been steadily increasing by leaps and bounds year after year the prices were going down abnormally, but the Safeguarding Act could not be taken advantage of till October last when the trade convention ceased. The Bill was not intended to give substantive protection to any industry but in fact it was a temporary shelter to help the industry against an abnormal competition.

Sir Joseph Bhore illustrated the point that the Bill aimed merely at restoring the competitive condition existing in 1930-31 and said that in the year Japanese umbrellas (duty paid) were priced at Rs. 1-1-6 and in 1933 their price sank to 9 annas. The specific duty of eight annas per umbrella would restore the price to Rs. 1-1. Umbrellas imported in 1930-31 were 4,828, umbrellas in 1931-32 were 14,908, in 1932-33 250,557 and in the first half of 1933-34 they had gone up to half a million. *Sir Joseph Bhore* said that it would be easier to take action under the Safeguarding of Industries Act but when the Indo-Japanese negotiations opened the Japanese declared that the prospect of any agreement depended on whether India was prepared to afford the most-favoured nation treatment to Japan which meant that unless India wanted to have trade hostility with Japan and risk a rupture of her commercial relations the only alternative was to impose specific duties. *Sir Joseph Bhore* held that specific duties even otherwise were preferable to *ad valorem* for protecting home industries. *Sir Joseph Bhore* said that the Bill disappointed certain industries which wanted to secure substantial protection by the back door. It annoyed the importers whose business would be affected and who would be trying to take up arms on behalf of the consumers. The select committee would examine the matter. In the meantime he claimed that the Bill held the balance fairly between the consumer and the producer (applause).

Mr. Maswood Ahmed moved the circulation of the Bill till the end of July.

Mr. B. Das said that the Bill was long overdue and criticised the commerce department for being slow in giving protection. He supported the motion for a select committee.

Mr. Lalchand Navalrai opposed circulation. Continuing, he said that protection should be given from the point of view of helping the industries and not for adjusting tariff consequent on signing the Indo-Japanese agreement.

ADJOURNMENT MOTION RE. CAPITATION AWARD

At 4 p. m. *Mr. Harbans Singh* moved the adjournment of the House expressing disappointment on the capitation award. He criticised the delay in publishing the report after the signature and that too in a mutilated form and without the minutes of dissent in full of Sir Shadilal and Sir S. M. Sulaiman. Were these two eminent Chief Justices of Indian High Courts so injudicious in their language that their observations could not be published? India was greatly dissatisfied at the findings of the tribunal and the award made by his Majesty's Government. According to the present first Lord of the British Treasury, who made his statement 20 years ago, nine-tenths of the army in India was an imperial charge. No less than 14 times was the army in India taken out for imperial purposes. Even when the Indian army was used along the Indian frontier its expenditure should be regarded as part of the imperial defence, for the frontier of India was also the frontier of the empire and the army in India protected the British commercial interests in India. In the colonies and dominions they spent only one-fifth of their revenues on the army and if there was any excess expenditure it was shared with the British Government. Why should not a similar consideration apply in the case of India. True, the Government of India fought well on the question of capitation and the India Office, London, also fought for justice for India, but to no avail. *Mr. Harbans Singh* contended that at least half of the total expenditure should be borne by his Majesty's Government for presently the ratio of India's military expenditure to the general budget was the highest not only in the empire but in the world.

Mr. S. C. Mitra did not agree with *Mr. Harbans Singh* that the Government of India had done their best. Why should the tribunal be prevented from discussing the capacity of India to bear the expenditure and the proportion of the military expenditure should bear to the general budget? India would get only two crores under the award which is a fleabite in the huge expenditure. Moreover, the calculation was based on nine months' training whereas the Government of India had insisted on six months' training. The British Government should not have been the judge in the matter for it was an interested party.

Mr. Ramsay Scott, speaking on behalf of the European group, congratulated the Government of India on their achievement and declared that the British Government had treated them fairly, but while he welcomed the award in so far as it related to present and future, he reminded Sir George Schuster that in his speech to the Assembly in 1931 he had declared that his Majesty's Government had agreed that whatever settlement was arrived at would be given a retrospective effect from March 1926. The tribunal was not asked to deal with the past. He maintained that payment was due to India from March 21 and asked the Army Secretary to explain why this had not been done.

Mr. Tottenham, Army Secretary, replying said that he was satisfied that the adjournment motion could not be a censure against the Government of India. The general effect of the award was that India would receive roughly two crores annually and the matter before the house was whether that was an adequate contribution.

Mr. Abdur Rahim asked what would have India gained if India's claim was accepted in full.

Mr. Tottenham continuing assured *Mr. Harbans Singh* that the notes of Sir Shadi Lal and Sir S. M. Suleiman merely put elaborately the India Office case and they were not suppressed because they would have strengthened India's case for higher contribution. However, every argument used in the debate and used in the notes of the Indian members had been put before the tribunal and the Commander-in-Chief, who has had long experience of the War Office and of India and was in a position to see both sides of the case was of opinion that India's success was due to the very able and excellent way in which her case, was presented and argued before the tribunal. That was a matter for congratulation and not censure.

Mr. Tottenham paid a tribute to the work of *Mr. McLeod*, military and financial

adviser and of counsel and particularly acknowledged the work of the officials of the India Office who had so completely identified themselves with India knowing that if their argument succeeded they would be burdening the British tax payer. The Government of India was asked whether they were prepared to accept the majority findings of the tribunal and considering that the matter has been fought for 60 or 70 years even before non-official opinion in India took any interest in the matter, they thought that no useful purpose would be served by higgling and they accepted the award.

Mr. Tottenham said that the award was based on the ground of the readiness of the army in India for imperial purposes and that India was the training ground for active service such as did not exist elsewhere in the Empire. These were formidable grounds but it was extremely difficult to attach a definite rupee value to them. Some members had suggested that the Indian army has been used 14 times abroad, but that covered 80 to 90 years. During the past 50 years the Indian army was used only seven times which meant once in seven years and at no time the cost was above one-half million pounds. Mr. Tottenham opined that they were lucky to get an annual contribution of one-half million (Opposition's ironical laughter). In fact, when the Finance Member had, in December, 1932, agreed to provide an opportunity for a debate in the House they did so fearing that the decision would be adverse and India might be asked to pay extra instead of receiving a contribution (Laughter). Finally, Mr. Tottenham promised to forward the debate to the India Office for his Majesty's Government's information.

Sir Abdur Rahim regretted this unsatisfactory way of discussing most vital question and urged the Government to place all the material including arguments of counsel before the tribunal and allot a special day. He asked whether any evolution had been made for the interests of the British and India and the rest of the empire in this matter. India could not develop herself in any way with the incubus of the huge military expenditure out of proportion to her needs, but kept on for the maintenance of a huge army for imperial purposes. Why then should England not contribute a proper share? However, even two crores was welcome in these hard days.

Mr. B. Das recalled the adjournment debate in September 1932 initiated by himself over the unsatisfactory terms of reference of the Capitation Tribunal and was not surprised at its recommendations. Two crores of rupees' award was an insult to India when compared with the cost of maintenance of the huge army for imperial purposes in India which *Sir Shadilal* described as the 'eastern barracks of the empire'. There should have been an imperial conference to decide what India's share in this imperial burden should be. Burma and Aden were to be separated. And was this army still to be kept at the present strength? Was this point placed before the tribunal? Britain being a party the matter must be placed before the League of Nations whereof India was acclaimed as an original member.

Mr. Ranga Iyer agreed with *Sir Abdur Rahim* that sufficient material had not been placed for proper consideration and yet they could not throw away two crores.

Sir George Schuster opined that India had gained something substantial by this award. There were three matters before the tribunal. Firstly, capitation charge with the War Office; secondly, Air Minister's claim in respect of the capitation charge and lastly India's claim for a general contribution. On calculation it appeared that the first two figures set themselves off against each other and that was why there was no retrospective effect given to this award. As for the claim for a general contribution, they might feel disappointed at the figure of two crores. The tribunal did not take account of the point whether troops maintained in India were more than what were required for India's own purpose because that was a military issue and would have meant disclosing secret plans.

Capt. Lalchand advised the House to trust the Government of India in their efforts to defend India's claim and accept the award gratefully.

The motion was talked out and the Assembly adjourned.

ANTI-UNTOUCHABILITY BILL

25th. JANUARY :—This being a day for non-official bills the House took up further consideration of Mr. M. C. Rajah's Anti-Untouchability Bill.

Pandit S. N. Sen, who had not finished his speech in the Simla session, resuming his argument opposed the bill. He also maintained that as the subject matter of the bill was sub-judice before a Poona court, the bill should be ruled out in the same way as Mr. Patel did against the Public Safety Bill. The President asked the

speaker to read the plaint (which Pandit Sen did) to show how the matter was *subjudice* :

The President said the case was instituted after the introduction of the bill. He added it would be an impossible position for any legislature if bills could be held up because some one filed a case before a court of law and make the matter *subjudice* to prevent a certain measure from being passed.

Pandit Sen thereupon raised another point taking his stand on sec. 84 of the Government of India Act. He said the Indian Legislature being subordinate to the British Parliament it could not pass a measure contravening unwritten laws.

Raja Bahadur Krishnamachariar intervening helped to explain Pundit Sen's point and said freedom of worship and conscience were inherent rights conferred on the people of Great Britain and Ireland under the Magna Charta and the Petition of Rights and recognized as an unwritten law. The Indian Legislature being subordinate to Parliament had no right to interfere and the present bill was *ultra vires*.

The President ruled that the bill did not make inroads on the freedom of worship or conscience and did not contravene the unwritten laws of the United Kingdom (Applause).

Proceeding, *Pandit Sen* criticised Mahatma Gandhi and said Mahatma Gandhi had been boycotted for his unreligious movement in the United Provinces and Bengal.

Several members interrupted that Mahatma Gandhi had not yet gone to the United Provinces and Bengal.

Pandit Sen emphasised how Mahatma Gandhi evaded invitations from Pandits and the Sankaracharya for discussion. He pointed out that several Sanatanists were seriously injured at Jubbulpore and Palghat at meetings where so-called non-violent crowds were shouted down. The speaker maintained that Mahatma Gandhi was not a Hindu. Instead of openly admitting the failure of civil disobedience he found an excuse in the Harijan movement which was another Himalayan blunder. He contended that untouchables, whatever their culture, could not come up to the standard of caste Hindus. He warned the Government against another mutiny and asked them to intervene by putting a stop to Mahatma Gandhi's irreligious campaign.

Mr. Jadhav occupied half an hour replying to criticisms against the measure. His remarks about certain aspects of untouchability provoked the wrath of Mr. Amarnath Dutt and a few others. Mr. Jadhav maintained whatever the origin of untouchability the untouchables were entitled to be treated as human beings.

Raja Bahadur Krishnamachari moving for circulation said it was agreed by Mahatma Gandhi that legislation against untouchability would be passed in the first national Parliament and in the meantime no coercion would be used to remove it.

Mr. Ranga Iyer asked if passing of legislation meant coercion.

Raja Bahadur Krishnamachari replied that any legislation was coercion if it was against the conscience and religion of the people. Continuing, Raja Bahadur Krishnamachari regarded it as a tragedy that those who did not know Sanskrit and could not understand Hindu law posed as its interpreters and wanted to amend it, leaving it to the British courts to apply it. On the authority of Mahatma Gandhi and the Government of India Raja Bahadur Krishnamachari maintained that this bill interfered with religion. He took to task those persons who had no occupation, posed as reformers and went about the country, wasting their own time and others' money and thrusting their non-religious belief on others. He particularly criticised Mahatma Gandhi who, he said, was changing his views from time to time, trying to justify all those views, ruining careers of thousands of youngmen and now depriving foolish people their money. His epithet of 'Harijan' for untouchables was widely resented by the untouchables themselves and one Srinivasan had stated so in a Madras paper.

Concluding Raja Bahadur Krishnamachari said revolutionary changes had occurred in the social life of India during the last 30 years and many more were expected in the next 15 years. Why then impose them by force and thereby lose a good chance of uniting all together and obtaining the goal ?

SIGNING OF INDO-JAP TREATY IN LONDON

The adjournment motion regarding the signing of the Indo-Jap treaty was taken up. *Mr. B. Das* referred to the fact that when it was decided to have the Conference in India it was acclaimed as giving a new status to India. Now, however, it was proposed that the Indian delegates were not to initial the treaty in India and

the formal signature should take place in London. This treaty was merely a domestic matter concerning India and Japan and Mr. Das asked what objection could the Foreign Office in London take thereto. The treaty itself as published was good and Sir Joseph Bhore and other delegates deserved congratulation. He was glad that the Government had not been side-tracked by Bombay millowners. But, he asked, did the Government of India ask the British Government to confer on them plenipotentiary powers in this respect so that the formality of signing be also done in India. If not, why not? India had signed the Treaty of Versailles as a separate entity and, also, Locarno and Kellogg Pacts. Now the Indian delegates to the Universal Postal Congress would sign at Cairo. Why should not the same right given in the case of this purely commercial convention with Japan when India is supposed to enjoy a fiscal autonomy convention and when Britain's foreign relations were not disturbed thereby.

Mr. S. C. Mitra said that no international obligation of the British Government was violated by the agreement and basing the claim on India's signing of Versailles Treaty and the Disarmament Convention, the speaker pleaded for signing the treaty in India. He hoped Government would not stand on formalities and would pay heed to the national sentiment and self-respect. Mr. Mitra thought Mr. B. Das had rendered a national service by bringing this matter before the House.

Sir Joseph Bhore, replying, emphasised the constitutional position of India and said the only exception he knew of was the Versailles Treaty.

Sir Joseph Bhore continued: 'India is not an international unit and had never been treated as an independent unit of the Commonwealth. If my friend's suggestion is that the constitution be changed, it is a perfectly logical position, but so long as the constitution stands we cannot get away from the consequences of that constitution.' Sir Joseph Bhore dissected the motion and said that as regards its charge that the signing of the treaty of London would reduce the constitutional status of India, at present it was impossible for the Government of India to enter into a treaty and whether the treaty was signed in London or India that constitutional position would remain unaltered.

As regards the integrity of the Fiscal Autonomy Convention, Sir Joseph Bhore said there was not a vestige of truth in the suggestion that Whitehall influenced them. He remarked: "The conclusions embodied in the treaty were ours and ours alone (applause) arrived at by the Government of India, as being in their judgment in the best interest of this country. The treaty will be signed in London between representatives of his Majesty's Government and the Government of Japan, but the signing of this treaty will not alter by one jot or tittle the substance of the agreement. (Hear, hear.) The Government of India claim that the fiscal autonomy convention was honoured in the spirit and the letter. Mr. Das is straining after the shadow when we already have the substance in our hand". Sir Joseph Bhore took the opportunity of publicly acknowledging that during the whole course of the negotiations they were fully assured of the help and support of his Majesty's Government and that fact was a matter of utmost value and importance. (Applause).

Concluding Sir Joseph Bhore said: 'For the first time in our history we have through our own representatives, on our own soil, entered into an agreement with the representatives of a foreign country. That marks a definite epoch in our history and I would ask this House whether it is for that that they move this motion in order to censure the Government. (Applause). He asked Mr. Das to withdraw the motion.

Mr. B. Das said his speech was misunderstood. He did not say the Government of India did not act rightly but wanted them to ask the British Government to confer plenipotentiary powers on three Indian delegates to sign the treaty.

Mr. Das then withdrew the motion. The House at this stage adjourned.

THE TARIFF BILL

26th. JANUARY :—Discussion was resumed to-day on the motion for a select committee on the Tariff Bill. Supporting the select committee motion *Mr. Jadhav* read out several telegrams from the Ogale Glass Works urging protection against Japanese inroads into the Indian market.

While warmly supporting the Select Committee motion, *Mr. Mody* deprecated the Commerce Member attaching too much importance to the most-favoured-nation clause which nowadays had been looked upon by several countries most unfavourably. In his opinion the most-favoured treatment was not sacrosanct in commercial treaties as used to be a few years ago.

Referring to the consumers, the speaker maintained that they had no right to clamour against the measure as inaction at the present juncture would mean India to be perpetually an exporter of raw materials, always looking for foreign countries to send manufactured goods.

Mr. Ghuznavi vigorously expounded the view-point of consumers and characterised the bill as amazing as it surely was not in the interest of the masses and neither in the interest of the minor industries, particularly the hosiery industry. He criticised the Commerce Member who did not care to quote the figures of import before 1931-32. He maintained that the reduction of prices of imported articles was not due to the Japanese yen but to the world-wide depression. He reminded Government of the intense Congress boycott movement during 1931-32. Naturally import were considerably less that year. He had the figures for certain articles the imports of which fell 60 per cent. and now thanks to the effective measures taken by the Government normal conditions had been restored with an outlook for increased trade. Showing samples of undervests *Mr. Ghaznavi* remarked that it cost 10 ss. per dozen and now the duty imposed was Rs. 1-8 so that it could not be sold for less than Rs. 2-2. He asked, was it in the interest of the consumers? In the name of a handful of industries—

Mr. Ramsay Scott challenged that he could supply any amount at Rs. 1-4 a dozen.

Mr. Ghaznavi retorted—‘You yourself had admitted you could produce only 23 per cent. How can you supply the whole requirements?’

Sir Joseph Bhole—It is an under-estimate.

Proceeding, *Mr. Ghuznavi* quoted several other industries like pottery, umbrellas, etc., and emphasized that there was no justification to impose such a heavy duty of 250 per cent. on the mere excuse of depreciation of the Japanese yen. They could not infuse efficiency in inefficient industries by mere protection.

Continuing, the speaker said that there was no umbrella industry in India. Then why a specific duty of 8 as. was levied so that the prices of even toy umbrellas costing three or four annas had increased enormously. He warned the Commerce Member that by this measure he was simply goading them to follow Mahatma Gandhi to wear only loin cloth and take sun-bath and rain-bath. (Laughter).

Concluding *Mr. Ghuznavi* felt that neither Indian industry nor imports will thrive while the measure was definitely against the interests of the masses.

Mr. Ranga Iyer described *Mr. Ghuznavi*’s speech as in the interest of the Japanese masses and against the Indian masses. Why should the champion of the Japanese masses add to the severity of the unemployment problem in India. He (the speaker) would rather see 30,000 starve in Japan than 300 in India.

Sir Abdur Rahim did not object to the bill being taken to the select committee but wanted members of the committee to understand its complicated nature and the economic and political issues involved. Government might get the bill or any measure passed here. But responsibility would rest solely on an executive irresponsible to the House. The question was whether the industries to which the bill intended to afford protection were capable of establishing themselves at an early date and benefitting the country as a whole. He asked how many companies which were affected now had proved their case for protection. Had they shown their dividends? If so, before whom?

Sir Joseph Bhole informed that the Tariff Board’s President and the Director-general of Commercial intelligence conducted the investigation of figures relative to imports of the articles in question and the questionnaire was issued to every industry and every chamber of commerce.

Sir Abdur Rahim remarked that mere questionnaires were not ‘enough. Have the facts been tested? Have the interests of the consumers been taken into consideration? If the price level of manufactured articles was raised what was the price level of agricultural produce? Is there not greater need to protect the agriculturists? ‘I do want industrialisation in India. But by this protection or subsidy industries must have a fair chance to establish themselves. Otherwise, where is the need for entering into this economic war against Japan? If by the bill only a few industrialists alone are to benefit and not the people as a whole then I object. We are prepared to protect our own industries and benefit our own countrymen. Whether it affects Japan or Italy or any other country is no concern of ours.’

Mr. Joshi asked why the facts reviewed by the President of the Tariff Board and the Director General of Commercial Intelligence were not placed before the Assembly? Was it not a duty of the Government of India to have informed the

public of the facts? Why should Government be afraid of publicity and how was the country to judge the justification for such measures of protection? It appeared to him that the House trusted the Commerce Member too much. (Laughter).

Mr. S. C. Mitra said there was perfect agreement on the principle of the bill. It was the duty of the Select Committee to see that the consumer was not unduly penalized. He complained against the Select Committee being hustled. Mr. Mitra's complaint against the committee being hustled was taken up by others including Raja Bahadur Krishnamachari with the result that on the President's suggestion Mr. Azhar Ali's motion for a committee to report not later than Feb. 5 was adopted.

Sir Joseph Bhore wanted the House against accepting the circulation motion of Mr. Maswood Ahmed as it would render protection illusory and nugatory for a long time. He maintained that the bill was intended to help people and not a few industrialists only, because, for instance, hosiery, soap and sugarcandy were largely cottage industries. This bill had the same object as the Safeguarding of Industries Act passed by the House about a year ago. The suggestion that it was intended to help the industrialists of Britain was fantastic.

Referring to Mr. Ghuznavi's and Sir Abdur Rahim's charge that nothing had been done to raise agricultural prices, Sir Joseph Bhore referred firstly to the Wheat Import Duty Act the effect of which had been to arrest the fall in prices; secondly the Indo-Japanese Agreement by which one-third India's cotton crop would be sold and thirdly the Ottawa Agreement under which enormous increases were recorded in the exports of rice and linseed.

Concluding, Sir Joseph Bhore promised to place before the Select Committee all relevant facts so that when the bill emerged it would be a fair and reasonable measure and the scales would be held evenly between all the interests in the country.

Mr. Maswood Ahmed withdrew his circulation motion. The motion for a Select Committee which would report by Feb. 5 was carried.

At the President's suggestion, Sir Joseph Bhore promised to supply a memorandum explaining the existing level of duty and the proposed changes against each item along with the Select Committee's report.

IMPERIAL BANK BILL

Sir George Schuster next moved for consideration of the Imperial Bank Bill as reported by Joint Select Committee of both Houses. He said it was in fact a consequential measure based mainly on the proposals of the Reserve Bank Bill and as such he hoped none of the provisions would be controversial. He hoped the House would pass the measure.

Dr. Ziauddin moved an amendment that the bill be recommitted to the same Joint Select Committee. He criticised the exorbitant discount rates of the Imperial Bank and thought that the statutory provision for giving 12 per cent dividend to the share-holders while the rate of interest was only three or three and half per cent was justified. He emphasised that a second bank by statute, besides the Reserve Bank, was unnecessary.

The Assembly then adjourned till the 29th.

SEA CUSTOMS ACT AMENDMENT BILL

29th. JANUARY :—*Sir George Schuster* introduced the bill to-day to amend the Sea Customs Act, 1878. Under Sec. 42 of the Act a drawback of seven-eighths of the customs duty paid on goods on importation is repayable at the re-export of goods subject to certain conditions. The provision was originally intended to apply to merchandise imported for sale in order that the goods remaining unsold in this country might be sent for disposal in other markets without the handicap of a tax. In practice, however, this concession was allowed even in respect of goods which passed into use after import in violation of the ordinary accepted principle that customs duty is a tax on consumption. In many cases like cars and cinematograph films goods spend much or most of their useful life in this country within the period allowed before re-exportation under the claim for drawback. The Government of India have long felt that to grant a drawback on used goods was wrong in principle and they decided that the payment of such drawback be discontinued except in special cases to be prescribed by rules. The present bill is meant to give effect to this decision. This has become pressing as a result of certain circumstances now arisen, namely increasing inducement now afforded by the considerable enhancement in the rates of customs duty in recent years and the demand for prohibition of drawback on exposed cinema films on their re-exportation.

RULES UNDER SEA CUSTOMS ACT

Sir George Schuster moved for the election of six members who 'along with two Government nominees would constitute a committee for the purpose of calling for and considering reports regarding the working of rules made by the Central Board of Revenue under sec. 195-A of the Sea Customs Act and as to the effect upon agricultural and small industrial users of fuel oil of the duties imposed by the Tariff Bill passed during the last session. *Sir George Schuster* said the motion was in accordance with the promise he had made during the last session.

Mr. James on behalf of the European group said every tariff or finance bill passed by the House must affect some interest or other and it would be a dangerous precedent to elect a committee to watch the operation of the Act. He also reminded the House that the standing committee on Industries and Labour elected by the House already existed.

Sir George Schuster replying said the point should have been made when he originally offered to set up such a committee. The present constitution was such that the Government wished to show that it was responsive and they were working experimentally to some extent. He agreed that such experiments should not be regarded as creating unalterable precedents. The motion was passed.

IMPERIAL BANK BILL

The House then took up further consideration of the Imperial Bank Bill.

Mr. Vidyasagar Pandya said *Sir George Schuster* had characterised this bill as a consequential measure but in the speaker's opinion this was not so. It was another white elephant tied to the tail of the white elephant of the Reserve Bank. Proceeding, *Mr. Pandya* criticised the bill in all its aspects. He said that while there were certain improvements, they had been pushed to the background owing to the objectionable provisions which were still kept prominent. The most objectionable provision was the system of proxies. He lengthily dilated on the tardy manner in which the Indianisation of the Imperial Bank was proceeding. He also objected to the differential treatment afforded to European against Indian institutions. Concluding, the speaker pleaded for a liberal interpretation of the Reserve Bank so that the work of the Reserve Bank might be rendered smooth and successful.

Mr. Azhar Ali supported *Dr. Ziauddin's* amendment that no statutory privilege be given to the bank unless and until it had agreed to advance money on the security of immovable property.

Mr. Thampan on the other hand did not think that long-term credit on lands was a sound proposition. While supporting the motion for consideration he hoped sufficient pressure would be brought to bear upon the directors of the Imperial Bank to see that proper investments were made in the country to foster its economic well-being.

Mr. Lahiri Chaudhury warned the Government against alienating the sympathy of landlords and thereby inviting communism and revolution in the country. Short-term loans, he said, was a legitimate claim of the landlords and tenants who formed the backbone of the country and 75 per cent. of the population of India. If this was not granted, a statutory bank like the Imperial Bank was unfit to exist in the country.

Mr. Bhupat Singh emphasised that it was the duty of the Government to keep an eagle eye on the Imperial Bank's activities and to ascertain that the bank was not carrying on business in the interests of England as opposed to those of India.

Dr. Dalal, opposing *Dr. Ziauddin's* motion, opined that the Imperial Bank though constituted under statute was a private institution and the directors and Governors were exclusively responsible to the shareholders. Therefore the question of recruitment was a concern of the bank and was not under the control of the Government. *Dr. Dalal* proceeding said it was a matter of satisfaction that the Imperial Bank was sympathetic towards Indian aspirations. During the period 1921 to 1933 only 41 Europeans were recruited while 243 Indians had been taken on the supervising staff.

Sir George Schuster said that the point of view of landowners as expressed in the debate was quite reasonable, and announced that the Government of India would be prepared to give sympathetic consideration to any sound scheme put up by provincial Governments for establishment of a land mortgage bank (applause) and that he would introduce this session a small bill at the instance of Madras Government, who were anxious that the securities of a particular cooperative land

mortgage bank be treated as trustee securities. So far as the Imperial Bank was concerned, the Government, the House and the country were interested in seeing that the bank, which would be the agent of the Reserve Bank, was run on sound lines. A bank which dealt with the depositor's money could not be asked to do unsound business. The Imperial Bank was only too anxious to earn profits for its shareholders, and if the bank was not willing to do the business of giving long term loans on immovable property, that showed that the bank considered that it was not business. The Government of India allowed certain balances with the Imperial Bank, but these had been calculated barely to compensate the bank for its services to the Government.

Dr. Ziauddin's amendment was rejected. The House took the bill into consideration and started examination clause by clause. Series of amendments moved by *Dr. Ziauddin* were rejected except one which the Government accepted, namely, one proposing that the two directors nominated by the Governor-General to the central board shall not be officers of Government. Fourteen clauses were adopted and clause 15 was under discussion when the House adjourned.

A. B. RAILWAY PASSENGERS GRIEVANCES

30th. JANUARY :—Non-official resolutions including two relating to unemployment figured on the order paper today.

Mr. G. R. Roy moved that immediate and adequate steps be taken by the Railway Board to redress various grievances of the general travelling public and particularly of the public travelling by the Assam Bengal Railway. He narrated his personal experience of the inconvenience caused by low platforms, by stations being away from the road and deaths or injuries caused by people having to use bridges and footpaths and mentioned how the upper class waiting rooms were neglected.

Mr. Hazelett, official member from Assam, who had travelled by the Assam-Bengal Railway for 35 years, thought the grievances of *Mr. Roy* should really be put before the local advisory committee. He hoped *Mr. Roy* would withdraw his resolution if Government undertook to forward the debate to the Agent.

Mr. Lahiri Chaudhury supported the resolution and said the greatest inconvenience was that no return tickets were issued on the Assam Bengal Railway.

Mr. Amarnath Dutt thought the best solution was to nominate Assembly members to the local advisory committees which would obviate the necessity of their raising debates in the Assembly.

Sir Joseph Bhowe replying expressed sympathy with *Mr. Roy* especially for the inconvenience caused by the low-level platforms (Laughter) and for the fear caused to him by the king of the jungle waiting for *Mr. Roy*. He expressed willingness to forward the debate to the Agent and when the Agent's report came to consider what could be done further. He hope the member would withdraw his resolution.

Mr. Roy said he did not want the resolution to be passed because he wanted cheap notoriety but he wanted an assurance that the grievances would be remedied. He said he had already seen the Agent and the D. T. S. and raised the matter in the local Assam Council but there was no remedy. 'It is all a case of coming and going and referring and nothing' (Laughter). Where else can I go to ventilate my grievances?

*Voices—*We will vote you, don't withdraw.

Mr. Roy thereupon changed his mind and the President put the resolution to vote. The Government opposed but the resolution was carried amidst cheers without division.

WORKERS' UNEMPLOYMENT

Mr. N. M. Joshi then moved a resolution urging immediate steps to protect workers of the country against unemployment and reduction of wages. He emphasised that the number of dependents had been increasing while employment was diminishing year after year. Workers at ports did not get work for ten or twelve days every month and at the same time wages had been reduced by 30 to 40 per cent. and in certain cases even more. He attributed these miseries to the reduction of wages and unemployment to the capitalist system based upon competition. There was the example of Soviet Russia where this problem had been most successfully dealt with and there were also the schemes worked out by Signor Mussolini, Herr Hitler and President Roosevelt. Having followed these countries he would suggest that under the new constitution they should lay down a fundamental right that the worker shall have the right to live. Government should immediately give effect to

the recommendation of Sir Arthur Salter for a proper economic survey and industrial planning. Dealing with the currency question the speaker said he would advocate even inflation.

Continuing Mr. Joshi said the present conditions were similar to those in times of famine and quoted the Whitley Commission's report in support of his suggestion that Government should undertake big works like new railways, canals etc. He affirmed that the unemployed in India were entirely maintained by the employed workers so that the responsibility of the latter increased. He pointed out that America and other countries despite the depression did not try to reduce the wages. So also he would request the Government of India at least to make a thorough enquiry before wages were reduced in any industry. In this connection he particularly impressed that Government ought to see that protected industries shared a proper portion of their profits due to protection with their workers. He warned that the policy of hesitancy would not do and Government must take a bold step forward and give effect to the Royal Commission's recommendations.

Mr. B. Das felt that Japan, America and other countries were rationalising their industries and though they were faced with deficits they were able to cope with the situation. In India the question was different. He complained that Government delayed the making of an economic survey of India. Mr. Das emphasised that the sovereign nations of the world were at present suffering from aggressive nationalism and they ceased to look in terms of internationalism. Under such conditions India being a subject country suffered the most. He did not agree with Mr. Joshi's advocacy of the Whitley report. In his opinion India had outgrown its recommendations and her problem was more acute and required different handling.

Sir George Schuster said the real problem was not so much industrial unemployment as Mr. Joshi's motion referred as lack of purchasing power of the masses as a whole. Mr. Joshi's premises were all incorrect and his speech merely emphasised the need of change in the method of collection and presentation of statistics. The Finance Member quoted the figures of production in the textile and steel industries in India compared to the United Kingdom, America, France and Japan during the last six years and affirmed the increase of production in India was the greatest. He repeated that even if production was not profitable the actual scale of production for various reasons was increasing. Sugar manufacture in India had enormously increased in the last few years.

Proceeding, Sir George Schuster referred to the economic survey now in progress and hoped it would lead to a better organization of statistics and production, information of which would be instructive to the public. Deflation had been suggested, so also other solutions. But the Finance Member opined there was no magic remedy for the present trouble. If they examined the position in any country whether with deflation or inflation and depreciated currencies the position was very much the same as in India. The Government of India had been trying their best within the limits of sound finance. They had restored credit. They could contemplate on a borrowing programme. But the difficulty was that sound financial schemes were not available. What was the use of building railways or other works if in the end they were not productive? If they borrowed money and piled up public debt without increasing revenue then the result would be that the tax-payer of to-morrow would have to pay. Moreover, if any unforeseen disaster like the Bihar earthquake came how could they face the situation?

Sir George Schuster observed: 'Now our credit is there and our ways and means position so strong that we shall not have any difficulty in providing money at reasonable terms in order to help the people of Bihar'. (Cheers). In fact, this period was very instructive in the economic life of the country. Perhaps after 20 years when the situation was looked back the verdict would not be condemnatory or critical. Sir George Schuster assured that the Government had not been idle. They must have patience and work hard and not rush to quack remedies suggested by some publicmen. Government members here had not the time to think out a solution of the problems as a good deal of their time was spent in the Assembly. If they had more time they might think out better. Sir George Schuster promised serious consideration of all the suggestions.

Mr. James welcomed the debate if only for the valuable announcement of Sir George Schuster that the credit and resources of India were equal to providing at reasonable rates of interest definite capital assistance to the devastated areas in Bihar. Mr. James referred to the proceedings of the World Economic Conference in which directly remunerative works like irrigation, drainge, electrification, long distance telephone, drinking water, road and bridges constructions were advocated

Mr. Ranga Iyer charged the British bureaucracy in India with autocracy and irresponsibility and said that they were playing into the hands of orthodoxy when they disallowed the Madras Legislative Council to remove untouchability in Madras where this evil had obtained its worst and acutest form. Mahatma Gandhi was never inconsistent so far as removal of untouchability was concerned. For political reasons he might have boycotted this legislature, but why should not he ask the Government and legislature to eradicate this intolerable blot on Hinduism. He and Rao Bahadur Rajah are ready to withdraw the bills if the Madras legislature is allowed to bring these Bills.

Sir Brojendra Mitter observed that much heat had been introduced in the debate. An examination of the legal aspect of the bill would show that the bill was vague and indefinite in its scope and in effect neither the preamble nor the statement of objects and reasons, nor even the body of the Bill, referred to the disabilities sought to be removed. The Law Member said: "It only mentions that the disabilities are arising out of customs, but does not mention out of what customs. The Hindu Law is based on texts and customs, and unless light is thrown as to what particular disabilities arising out of some particular customs are to be removed, it can not be known what bearing it will have on Law. Concluding, the Law Member said, judged from the standpoint of enactments or customs or interpretation of law, the present Bill was vague and indefinite and cuts right across the law of ownership, law of trust and many other principles of law. It wanted to repeal certain enactments, but neither the Bill nor the members, who threw much heat without throwing any light, gave specific instances of enactments sought to be repealed. He described the Bill as a pious propaganda and not a serious enthusiasm for reform.

Opposing the suggestion of the Law Member that the Bill should be circulated for removing indefiniteness, *Diwan Bahadur Harbilas Sarda* asserted that the Bill would remain as indefinite as it was now even after circulation. He characterised the circulation motion as dilatory tactics. He refuted the arguments of the Law Member that the Bill cuts across the principle of ownership or trust as it only sought the removal of legal recognition of certain disabilities arising out of customs and usage only.

Sir Harry Haig made the Government attitude as regards the proposed legislation clear by stating that they would support the circulation motion of Raja Bahadur Krishnamachariar as nobody knew what would be the precise effect of the Bill covering very wide issues. He denied Dewan Bahadur Harbilas Sarda's assertion that the Government wanted to perpetuate untouchability and enumerated a long list of work done by the Madras Government towards economic and educational uplift of the depressed classes.

Deep sense of gratitude in which Mahatmaji had put the depressed classes by his crusade against untouchability was expressed by *Rao Bahadur M. C. Rajah* who accused the Brahmins of cunning in as much as they possessed all temples which originally belonged to the untouchables. In the name of law and order untouchability was maintained and it was the law he sought to remove. He refused to be denied any more the elementary human rights.

Rajah Bahadur Krishnamachari's circulation motion was, however, carried. The House then adjourned.

MEDICAL COUNCIL ACT AMENDING BILL

5th. FEBRUARY :—*Mr. G. S. Bajpai* introduced a Bill amending the Medical Council Act which would enable the University of Rangoon *inter alia* to elect a member, from among the members of its Board of Studies in Medicine, to the Indian Medical Council.

TARIFF ACT AMENDING BILL

Sir Joseph Bhore introduced a Bill amending the Indian Tariff Act which gives effect to the Indo-Japanese and Bombay Lancashire Agreements.

INDIAN STATES' PROTECTION BILL

The House then resumed the consideration of the Indian States' Protection Bill. In expectation of an interesting and keen debate on the States' Protection Bill *Mr. Panicker*, Foreign Minister of the Patiala State, *Mr. Sarma* of the Princes' Chamber and other distinguished visitors from the States and representatives of States' People Conference were present on the galleries. *Mr. Krishnamachari*, who

was on his legs on the last occasion when the bill was being discussed, continuing, referred to the constitutional position of the States and observed that the Princes and the subjects of the States formed one entity. As such, there was no justification in interference, if the subjects waged war or a rebellion against the Princes.

Mr. *Glancy*, Political Secretary, asserted that the form of government was different in different States and the government of India could not dictate what the form of government would be in a particular State. He recognised that there was maladministration in the States, but several States had made rapid progress in improving their administration. When there was gross misgovernment in any State, the Government of India intervened to put things right.

As to the objection raised that the bill would stifle even the legitimate criticisms, Mr. *Glancy* maintained that it was not the case. It was in the interest of the country as a whole to stop all organisations such as Jathas which often gives rise to communal bitterness.

Sardar Harbansingh Brar began his speech on the bill, and he had not finished when the house adjourned.

WORKERS' UNEMPLOYMENT

6th. FEBRUARY :—Discussion on *Mr. N. M. Joshi's* resolution seeking to protect the workers against increased unemployment and reduction of wages was resumed.

Mr. S. C. Mitra, supporting the motion, urged the Government to do something to ameliorate the conditions of labour. He stressed it was particularly binding on an alien Government to rule in such a way as there might be peace and contentment in the country.

Mr. H. B. Clayton maintained that the industrial workers who received wages in cash were now much better off than they were in 1929 as there had been considerable fall in commodity prices without any corresponding reduction in wages.

The problem that India was faced with was that of the agricultural labour who formed 70 per cent of the total wage earners in India.

Mr. G. Morgan charged *Mr. Joshi's* resolution with vagueness and indefiniteness as it did not offer any specific suggestion.

Mr. T. N. Ramkrishna Reddi suggested that the petrol tax revenues that were appointed to the Provincial Governments should be ear-marked for the development of rural communications and water supply.

Mr. Abdul Matin Choudhury dealt with the resolution in wages due to depression in various countries. He said in Japan there had been reduction in wages by 13 per cent. while the Bombay and Ahmedabad Millowners reduced wages by 25 per cent. In America new avenues were being opened for larger employment by a reduction of the hours of work while in India nothing of that sort were being tried.

Sir Harisingh Gour emphasised that unemployment was a large problem which had no ready-made solution. He suggested the establishment of a Central Board of Education to direct the Universities to impart technical and industrial education as also the establishment of a Board of Industry and Trade to control and guide as to how the country's trade and industry should best be developed.

Rai Bahadur Lala Brij Kishore moved an amendment to the resolution that the unemployed agricultural labour and the educated youths might also be protected.

Dr. Ziauddin Ahmed complained that the Education Advisory Committee to investigate the means of providing industrial education was not opened on the plea of want of money. He deplored that the nation-building departments suffered due to the stringency of money. But, he said, for other departments money was always available.

Sir Henry Gidney charged the Government with breach of promise regarding the educational policy which he condemned as thoroughly unsuitable to modern requirements. He insisted that the educational system must be revised.

Mr. Amarnath Dutt deprecated the growing industrialism which drew away the agricultural labour.

Mr. G. S. Bajpai admitted that the grievance against the educational system was quite legitimate but due to financial stringency the Hartog Committee's recommendation for a Central Advisory Educational Bureau would not be materialised.

Pandit S. N. Sen attacked the system of education which enhanced unemployment.

Sir Frank Noyce replying stated that it was a mistake to divert all attention on industrial unemployment which was not very acute like the agricultural distress

caused by the heavy fall in commodity prices. He denied the existence of unemployment in technical sense but admitted that there was under-employment due mainly to trade depression. He, however, expressed his willingness to accept the resolution in modified form, namely, that the Government would take such steps to remove unemployment and reduction in wages as may be practicable.

Mr. *N. M. Joshi* having accepted the Government modification, the House also accepted the resolution.

Mr. *S. C. Mitra* then moved the resolution on equalisation of Import and Excise duties on kerosene. He asserted that discriminating treatment to the Burma Oil Companies by way of lower excise duty was most unjustified as it meant less money to the Indian exchequer, increased taxation to the taxpayers and penalisation of the consumers. The Burma Oil companies during the past 25 years had been paying fat dividends and making large profits and as such it was not entitled any more to discriminating protection. He showed that the Burma Oil Company was really an English company and being not an indigenous concern it had no claim to differential treatment. If excise duty on Burma Oil be increased to the level of the import duty the Government would get about one crore of rupees.

Mr. *Miller* cited figures to show how large a section of Indian labour was supported by the Burma Oil Companies and how in many ways it filled the Indian Exchequer.

Mr. *Bhupat Singh* welcomed the resolution as it was calculated to give relief to the poor consumers and also bring more revenues to the Government. He pointed out that with the separation of Burma, the Burma Oil Company could no longer be considered an indigenous concern. The Burma Oil Magnates who were the originators of the idea of the separation of Burma should pay the penalty of increased excise duty on Burma Oil.

The debate had not concluded when the House adjourned.

INDIAN STATES' PROTECTION BILL

7th. FEBRUARY :—The debate on the States' Protection Bill was brought to an end by a closure motion from the Government side. The opposition parties insisted on dividing the House against the motion. The Government carried the vote by 59 against 38 and Sir Harry Haig replied to the debate, at the conclusion of which the House referred the Bill to a Select Committee.

This division is the first of this session, and roughly reflects the relative strength of the two sides of the Bill. The motion to refer the Bill to a Select Committee was carried by 68 to 30 votes, European, Centre and United India groups voting with the Government.

Sir Abdur Rahim asked Sir Harry Haig whether he would agree to delete in the Select Committee other provisions except Jathas and conspiracies. Sir Harry Haig replied that the Press provision was an essential part of the Bill.

Resuming his speech on the Bill, *Sardar Harbans Singh Brar* dealt with the rights exercised by the Paramount Power over the Princes both in their internal and external affairs. If, he said, the rights exercised by the Paramount Power in internal affairs were directed to meet the wishes and demands of the subjects of the States, it would go a long way in stopping all agitations against the Princes and would conduce to their welfare. He complained that, although it was the declared policy of the Paramount Power to intervene in the interest of good Government and in the interest of the States' subjects, it was seldom applied. On the other hand, the Princes are always given undue protection, with the result that the grievances of the subjects are never redressed. *Sardar Harbans Singh* deprecated the demonstrations of the States' people outside their own State's border just as it was undesirable on the part of the British Indian subjects to agitate against the British Indian Government within the States.

Mr. *F. E. James* observed the provision of the Bill amending the Indian Penal Code gave a new definition of India covering the whole of India, including the States, which was a strikingly undesirable legal departure. The speaker opined that the Bill was urgently called for to prevent the unconstitutional agitation of the leading Jathas, which might lead to war. He admitted that there was misgovernment in certain States, but that was no argument why protection to States should be withheld. The provisions relating to Press should be carefully examined so as to allow free play of legitimate criticism. Continuing, Mr. James pleaded for reciprocity, asking the States to afford the same protection to the British Indian subjects as they claimed for themselves. He had evidence of the terrorist movement

spreading its tentacles to the Indian States, and it behoved the Princes to control the arms regulations, which did not exist in many States at all, so that arms may not be supplied to the British Indian terrorists from within their States.

Replying to Mr. James, *Sir Abdur Rahim* wondered as to who gave the lead in the matter of States' Protection, *Sir Harry Haig* or any other European? Continuing, *Sir Abdur Bahim* said: "The Princes are Indians just as we are and British India and Indian India are inter-related so much so that what happens in one part reacts on the other. When we are daily quarrelling for more powers we cannot possibly weaken the Princes' Powers. But that is no reason why the forms of Government should not be changed which at present are nothing but autocracy or personal rule. In spite of what *Sir Harry Haig* might say, political institutions are not like zoological or archaeological specimens meant to be preserved. But we do not want change in the form of Government. We want that there should be free play of public opinion on every kind of administration." Proceeding, *Sir Abdur Rahim* observed that the Bill would restrict certain rights, liberties and privileges of British Indians for the sake of the Princes, which was most unjustified.

When the Criminal Law Amendment Act was passed which curtailed the jurisdiction of courts, it was urged by the Government that the measure was necessary to restore law and order to pave the way to political reforms. But there was no such justification underlying the present measure. Is some political reform contemplated for the people of the States, the speaker asked. That was not certainly the case, he said. The Political Department under the Federation would be placed under the Viceroy, who would remain absolutely secret and sacrosanct. Under the circumstances Indians should not concern themselves about the administration of the States.

The closure motion was carried by 59 against 39 votes.

Replying, *Sir Harry Haig* denied the allegation that the intention of the Bill was to induce the Princes to join the Federation, nor did the Government intend to stereotype the misrule, if any, in the States. He had no doubt that the liberty of the British Indian Press had been much abused. But the Bill did not preclude it from ventilating the legitimate grievances just as it criticised the British Indian administration under the existing Press Act. The papers which might be found guilty under the proposed measure will have the right of appeal. As regards the supply of arms to the terrorists, the Government had been in correspondence with the States since July, 1932 in order to ensure a stricter watch on the movement of arms. The Bill was referred to a Select Committee by 68 against 30 votes after which the Assembly was adjourned.

KHADI BILL PASSED

8th. FEBRUARY :—The Assembly proceeded to transact business regarding the non-official bills.

Mr. Gayaprasad Singh, in moving his Khaddar Name Protection Bill, said that the proposed legislation was very innocuous and hoped the Assembly would pass it without any opposition from any body. He deplored the attitude of *Mr. Mody* and the Bombay Millowners' Association to the measure, which had the support even of the Provincial Governments of Madras and the Central Provinces. He also approved that the operative part of the Bill would depend on the discretion of the Provincial Governments.

Mr. B. V. Jadhava, supporting the Bill, said that the Bill, if passed, should be enforced immediately without waiting for Provincial Autonomy.

Mr. B. Das stated that the Bombay Millowners were making huge profits because they produced spurious stuff but passed it as Khaddar.

Mr. C. S. Ranga Iyer and *Dewan Lalchand Navalrai* also supported the Bill, which was then passed without any opposition.

BILLS FALL THROUGH

Dewan Bahadur Harbilas Sarda, *Mr. Amar N. Dutt* and *Khan Bahadur Wajhiuddin* being absent, the Bills standing against their names fell through. The Bills related to the maintenance of Hindu widows, Succession to Stridhan under Dayabhag, Repeal of Bengal State Prisoners' Regulation of 1818 and the amendment of the Child Marriage Act.

BILL TO PROTECT MINOR GIRLS

Kunwar Raghubir Singh, in moving for consideration of the Bill to protect minor girls, said that the evil of daughter-selling assumed dangerous proportion in Indian society and considerably increased the number of widows. He further stated that the Bill provided for the protection of minor girls against inequality of ages of the bride and the bridegroom and their treatment as commodities.

Mr. Jadhara, while supporting the principle of the Bill, pointed out the difficulties of legislation in a matter like this.

According to his hearty support, *Dewan Bahadur Harbilas Sarda* thought that the circulation of the Bill was unnecessary.

Bhai Paramanand thought that the Bill was useless and requested the mover to withdraw it.

Sir Harry Haig stated that there was already provision in the Child Marriage Restraint Act to penalise the parents who marry their girls below 14 and as regards the sale of minor girls, the Indian Penal Code already covers the offences of that kind. He informed the House that the Government would support the circulation motion.

The circulation motion was accepted by the House.

BAR COUNCIL ACT AMENDMENT

Mr. Amarnath Dutta moved for circulation of the Bill to further amend the Indian Bar Councils Act of 1929.

Sir Harisingh Gour wanted that the distribution between the English and Indian bars should continue but the barristers should pass some qualifying examination in this country entitling them to practise in India.

The Law Member declared that personally he was of opinion that there should be a uniform Indian Bar but, nevertheless, distinctions existed which were partly historical and partly inevitable. He thought that time would come when the whole of Indian Bar would be manned by Indian law graduates. As the matter was very controversial he thought that public opinion should be sought.

Sir Lancelot Graham, Law Secretary, supporting the circulation stated that the existing law imposed no distinction between two branches of the Bar.

That the barristers are more cultured, more refined, and more respectable was the claim put forward by the barrister section of the House such as Messrs. Bhagatram Puri and Anwarul Azim while the vakils' case was taken up by Mr. Sant Singh who described the former as "imported lawyers."

After Mr. Amarnath Dutt's reply the House agreed to circulate the bill amending the Indian Bar Council Act.

OTHER NON-OFFICIAL BILLS

Galloping progress was then made by the House in the disposal of business after this, as many as fourteen non-official bills being introduced among whom may be mentioned Mr. Raghubir Singh's Bill to Protect the Milch Cattle, Mr. Aggarwal's Specific Reason's Right of Partition Bills, Mr. Navalrai's Indian Arms Amendment Bill, the Land Acquisition Amendment Bill, the Hindu Temple-Entry Disabilities Removal Bill, Mr. Amarnath Dutt's Criminal Law and Civil Procedure Code Amendment Bills and Mr. B. Das's Indian States' Protection against Disaffection Amendment Bill.

The House then adjourned till the 13th.

DEBATE ON THE TARIFF BILL

13th. FEBRUARY :—That the Tariff Bill was not meant to afford substantive protection for industries, but to restore prices to a competitive level, was admitted by *Sir Joseph Bhore* to-day. When *Sir Joseph Bhore* asked the House to consider the Tariff Bill as amended by the Select Committee, *Dr. Ziauddin Ahmed* launched an attack, saying that the days of free trade had gone. The whole world, he said, was going more and more for protection and he wanted protection also for India, but surely not for the benefit of the capitalists. He wondered why the Government still maintained the over-valued exchange rate while it was seen that the cheapness of the Japanese goods were due to the depreciated Yen. *Dr. Ziauddin Ahmed* pointed out that the specific duties imposed on the miscellaneous articles applied to non-British goods while British goods would be taxed at the 'advalorem' rate which meant that the Indian industries would not get the desired protection.

Mr. *Ramsay Scott* said that he would not accept anything short of 12 annas per pound as the specific duty on undervests. He considered the protection measures taken by the Government to be unsatisfactory and half-hearted.

U Ba Maung pleaded for the exclusion of Burma from the operation of the Tariff Bill as the Burmese were not connected with either of the industries concerned or import trade because they were mainly agricultural and secondly that Burma was likely to be separated.

Mr. *Amarnath Dutt* regretted the exclusion from the original Bill by the Select Committee of the 30 per cent. duty on enamel-ware as half a dozen enamel factories were run specially in Bengal and if protection was withheld, the Indian enamel industry would perish.

Mr. *B. Das* gave a warning that Japan was a menace to the smaller industries of India.

Mr. *S. C. Mitra* observed that, as in the present Bill the Government committed itself to the principle of discriminating protection, the Government ought to see that adequate protection was given to the industries. It should also be enquired thoroughly whether other industries not mentioned in the Bill require any protection. He stressed that enamelled hollow-ware industries produced articles worth 12 lakhs of rupees whereas the country's total consumption was 33 lakhs. The potentiality of this industry was great. So it should be protected by all means.

Mr. *A. H. Ghuznavi* also opposed the Bill. Mr. *C. S. Ranga Iyer* supported it.

Sir Joseph Bhole, replying, explained that the Bill did not aim at giving substantive protection to the industries, but to restore the competitive prices prevailing in 1930-31, making allowances for the general fall in prices. With regard to the complaint of Mr. *Ghuznavi* that duties on certain Japanese articles had been exorbitantly high, he stated, that Japan imposed even higher duty on the same articles. The Commerce Member refused to exempt from duty the contracts entered before the Bill was introduced as the importees had got sufficient notice for consideration before the Bill was passed.

Mr. *Ghuznavi's* attempt to omit the duty of Rs. 10 per hundred-weight on fish and whale oil proved abortive in spite of the support given to him by Dr. *Ziauddin Ahmed* and Sir *Leslie Hudson*, leader of the European group.

Mr. *Ghuznavi* was again supported by Dr. *Ziauddin Ahmed* when he tried by another amendment to remove the duty of Re. 1-8 per dozen on cotton undervests and 10 annas per dozen pairs on socks and stockings which was rejected by the House.

The next amendment by Dr. *Ziauddin Ahmed* seeking to replace the specific duty of Re. 1-8 per dozen on cotton undervests by nine annas per pound, shared the same fate. The House then adjourned.

14th. FEBRUARY:—Further discussion on Mr. *S. C. Mitra's* resolution urging equalisation of excise and import duties on kerosene and other mineral oils was resumed to-day.

Mr. *B. V. Jadhav* gave a hearty support to the motion. He pleaded the case of the poor consumers, who had to pay more as the import duty on kerosene was higher. The speaker did not understand why any preferential treatment should be accorded to the Burma Oil Company and observed that the past prosperity and accumulated reserves of the Burma Oil Company had been the target of the resolution.

Dewan Bahadur Ramaswami Mudaliar opposed the resolution, as he thought that the enhancement of excise duty would result in the enhancement of prices of kerosene which would affect the consumers. On the other hand, if import duty was lowered the Government would lose revenue.

Mr. *Ba Maung* described how the Burma Oil Company helped the Indian cause and opposed Mr. *Mitra's* proposal.

Sir George Schuster considered that a resolution of this nature was very embarrassing for the Government as they could not usefully take part in the discussion without disclosing their budget position, and he thought it very unfair that an attempt should be made to force the Government's hand. He considered the resolution to be very vague as it did not say how to equalise the import and excise duties, its only object being to hit the oil companies which were fostering indigenous industries. He, however, expected the oil companies to secure the lowest possible rates for the consumers.

This provoked an angry reply from Mr *Mitra*, who hoped that the resolution would be accepted in the spirit in which it was moved. He also characterised Sir George Schuster as the priest giving his sermon and showing sympathy for Indian industries, which was not genuine. The fact was that the British Government possessed 90 per cent capital interest in the Burma Oil Company and the Govt. of India had been turned down by Whitehall, who consider the Government here as mere post office. Why the Burma Oil Company and the Socony, the two great oil companies, control the prices in India and the India Government being week-kneed can not control them, asked Mr *Mitra*. As he thought that his purpose had been served, Mr. *Mitra* withdrew his resolution.

LOAN TO BIHAR

Mr. *G. P. Sinha* then moved. "This Assembly recommends to the Governor General-in-Council that he may be pleased to advance such loan, without interest or at a very low rate of interest, to the Government of Bihar and Orissa as will be required to help reconstruction of the economic structure of Bihar, devastated by the recent earthquake. The mover gave a detailed account of the havoc caused to the people and to the Government, who received the major part of their revenue from the areas affected. He hoped that the country and the Government would lend a helping hand in the dire distress.

Maulana Shafi Daud said that immediate relief was now given in a liberal scale, but permanent reconstruction was required, not only in respect of private houses but also in respect of local bodies. Distress had brought the people and the Government together and removed the previous estrangement and this atmosphere might spread to the rest of India.

Mr *E. Studd*, on behalf of the European group, whole-heartedly supported the resolution and instanced how the European planter families too had suffered losses. He hoped that the Government of India would not only advance loans, but would give at least some portion of loans without interest. It was a national calamity, but the one bright spot was that it had brought co-operation between different classes. By helping Bihar they would be helping the cause of India.

Mr *B. Das* sympathised, on behalf of Orissa, with the sufferers in Bihar and suggested that loans be advanced, not under arbitrary limit, but according to the capacity of an individual, repayable within fifteen years, of which in the first two years no interest would be charged for the money invested in rebuilding the house.

Sir Cowasji Jehangir said that if the Finance Member suggested that no interest would be charged for loans, the Assembly should approve the suggestion (hear, hear). He estimated a crore and a half for repairing the Government buildings, three crores for helping private people and a few crores for municipalities. The estimate of five crores suggested by the Secretary of State was very inadequate.

Sir George Schuster, replying, said that if the resolution aimed at whipping the Government to take interest, it was unnecessary. If it aimed at supporting the Government and expressing sympathy with Bihar he welcomed it. The Government of India had already given earnest consideration, and Sir Allen Parsons, Finance Secretary, had examined the position on the spot. Sir George Schuster, however, asked the House to remember two things. Firstly, they were dealing with public money and should see that the money used be most economically spent. For this, they would depend on the Bihar Government. Secondly, various types of cases had to be met, and each case would require separate action.

DUTY ON RAW FILMS

Mr. *Jadhav* then moved a resolution that the present duty on raw unexpected films be abolished for a period of fifteen years in order that the indigenous film industry may derive a substantial benefit and encouragement.

Mr. *Dudhoria* supported the resolution.

Sir Frank Noyce said that he must repeat what he had said on this resolution on the last occasion. The Government had full sympathy in the matter and the Government was prepared to consider the question of relief to an extent so that the Government should recoup themselves in respect of the drawback on films exported.

Mr. *Jadhav* withdrew the resolution and the House adjourned.

DEBATE ON THE TARIFF BILL

15th FEBRUARY.—The Assembly resumed discussion on the amendments to the Tariff Bill to-day. In expectation of an animated debate on the conflicting interests of various industries and import trade public galleries were pretty full with the repre-

representatives of hosiery and enamel industry watching minutely the fate of the respective amendments concerning their interests.

Dr. Ziauddin Ahmed moved an amendment to substitute the duty of ten annas per dozen pairs of socks and stockings to six annas per pound, the intention being to reduce the burden of the consumers of Japanese articles.

After *Sir Joseph Bhore* replied, *Dr. Ziauddin Ahmed's* amendment was rejected amidst loud cheers.

Mr. D. K. Lahiri Chowdhury moved an amendment for imposition of 30 per cent of import duty for domestic hollow-ware namely, basins, bowls, dishes and plates, including rice cups, rice bowls, rice plates etc. The mover asserted that acceptance of his motion would be the acid test of the House as to whether it supported Indian industry or not. *Mr. Lahiri Chowdhury* showed samples of various enamel wares manufactured by Indian concerns and compared them with similar Japanese products and emphasised that in quality and durability the Indian articles were superior.

Mr. Bhupat Singh: What about the price?

Mr. Lahiri Chowdhury: That's a nice question. The present Bill is to restore the competitive prices prevailing in 1931-32. In 1931-32 Japanese rice-cups were sold at Rs. 2-6-0 per dozen, whereas the Indian rice-cups were sold at Rs. 2-4-0 per dozen. At present due to Japanese dumping the Indian products could not compete, but even then it proves cheaper in the long run as it is far more durable. The Bengal Enamel Works was started in 1920 and they had made out a good case for protection.

Continuing, *Mr. Lahiri Chowdhury* said that the Indian hollow-ware industry is at present meeting one-third of the total demand of the country and it had got potentiality. It could supply, he said, not only the total demand of the country but also compete in the world market provided it gets proper encouragement and support. The speaker made a strong plea for adequate protection to the industry for some time so that it could stand on its legs within a short time and then it would be able to meet the country's requirements at as cheap prices as that of the Japanese articles. *Mr. Lahiri Chowdhury* appealed to the House to accept the amendment, otherwise, he said, the entire industry would be ruined.

He was supported by *Dewan Bahadur Mudaliar*, *Mr. F. E. James*, *Mr. N. M. Joshi*, *Mr. S. C. Mitra* and partially by *Dr. Ziauddin Ahmed*.

Mr. N. M. Joshi appealed to the President to follow the practice prevalent in the House of Commons and throw open the proceedings of the Select Committee to the public, at least that part of the proceedings which relate to the examination of expert witnesses or supply of information by the Government on the particular subject under discussion, because in its absence it becomes very difficult for the members who are not members of the Select Committee to judge on what basis the Select Committee came to its decision.

Mr. S. C. Mitra cited statistics to show that the Indian factories were supplying about 30 per cent of the country's consumption at prices which, if durability is taken into consideration, were much cheaper than the Japanese products.

Mr. Satish Sen followed in the same strain.

Mr. A. H. Ghuznavi was not prepared to give any protection to the industry until the Committee of Enquiry reported that the Indian enamel industry was eligible for protection.

Sir Darcy Lindsay accorded whole-hearted support to the protection proposal, because coming as he did from Bengal he knew that the enamel industry there needed protection from unfair protection.

Sir Joseph Bhore fully supported the measure as it was incorporated in the original Bill. Explaining the Government's attitude towards the Select Committee, *Sir Joseph* said that the official members remained neutral, because one section of non-official members opposed the duty.

The amendment was then carried unanimously amidst applause.

During the debate on enamel industry the *President* observed that he strongly deprecated the practice of bringing by members exhibits on the floor of the House in support of their arguments. He requested the members to discontinue this practice in future.

With the Government's support, *Mr. Lahiri Chowdhury* succeeded in the removal of imposition of uniform flat rate specific duty on domestic earthenware, China and porcelain, irrespective of sizes. *Mr. Lahiri Chowdhury's* amendment which the House accepted divided tea-cups into those having a capacity of more than seven and a half ounces and less, duty on the former being what Government originally

proposed, namely, ten annas per dozen, while that on the latter class being four annas per dozen. Similar reductions were effected as regards the saucers, teapots, sugar bowls, jugs and plates of smaller sizes.

Mr. A. H. Ghuznavi and Mr. Azhar Ali moved amendments for inserting new clauses by which they sought to exempt from the operation of the Tariff Act those goods for which contract had been made before December 22 last or sellers' acceptance had been put in course of transmission to the buyer before the 9th January, 1934 or which arrived any Indian port before January 15 last.

Sir Mohammad Yakub and Sir Comasp Jahangir supported the acceptance of the amendment. The latter remarked that it was an exceptional case and although he did not want to set a bad precedent, he asked for exemption in this case as it was made on grounds of justice and equity. He referred to the protracted nature of the Indo-Japanese negotiations and said how could people suspend all their trade during that long period and await the result of the negotiations. The exemption in the case of goods on the high seas would not entail much loss of revenue to the manufacturers here.

Mr. Neogi, quoting from the speeches of Mr. Jinnah and Pandit Motilal Nehru delivered in 1924, pleaded that ignorance of the impending taxation whether for revenues or for protection was no argument why certain goods in transit should be exempted. He wanted the maintenance of that established principle unless some convincing reasons for a contrary action was shown. He asked the House to remember the well-known legal maxim, "he who seeks equity must come with clean hands."

Dr. Ziauddin Ahmed pleaded that the articles which had already arrived in India might be exempted from duty.

Mr. Ranga Iyer opposed the amendment. After Mr. Hardy had spoken, both the amendments of Messrs. Azhar Ali and Ghuznavi were defeated. The second reading of the Bill being passed Sir Joseph Blore moved that the Bill as amended be passed.

At the time of the third reading of the Bill, Dr. Ziauddin Ahmed made a speech stressing that the duty on hosiery should be graded according to the size of the article and no uniform rate should be prescribed irrespective of weight or size.

Mr. S. G. Jog pleaded that the lantern industry should be safe-guarded. Dewan Bahadur Ramaswami Mudahar congratulated the Commerce Member and asked for adequate protection to the hosiery industry. Mr. Mahapatra charged the newspapers being controlled by the industrialists and importers, and only their cause was championed by the House. But no body looked to the interests of the agriculturists.

After Sir Joseph Blore's reply the House accepted the Tariff Bill as amended and adjourned.

SEDITION LAW AMENDING BILL.

16th. FEBRUARY.—Mr. C. S. Ranga Iyer moved that the Bill to amend certain provisions of the Indian Penal Code, relating to offences under chapters VI and VIII of the said Code be circulated. By this Bill Mr. Ranga Iyer sought to provide against the recrudescence of prosecutions of newspapers with British Press, which could even go to the extent of charging Mr. MacDonald's Socialist Government with forgery. He asked the Government to restore the Indian Penal Code to its original purity. Continuing, Mr. Ranga Iyer stressed that in future the Government would be a Party Government, when the Press would require greater liberty.

Sir Brojendra Mitler, replying, refuted the arguments put forward by Mr. Ranga Iyer in support of his measure. He admitted that "intention" was the essential ingredient of seditious offence and, although the word "intention" did not occur in section 153-A or 124-A of the Indian Penal Code, there had been no conviction without proving that the intention of the accused was to excite disaffection or to bring hatred against Government. The Law Member further observed that there was no necessity for amending the present law, which had been found satisfactory for the last 35 years. The passing of the present measure, he stated, would introduce uncertainty as to the interpretation of the law and impose unnecessary burden on prosecution, which would make conviction for sedition impossible.

Sardar Sant Singh stated that section 124-A of the Penal Code had often been abused, as mere expression of opinion was punished under the shelter of this section. He said that Pandit Jawaharlal Nehru had been sentenced to two years' imprisonment under this section. If the judiciary was incompetent, he said, it was up to

the Government to see that the incompetence was removed. That was no business of opposition.

Replying, Mr. *Ranga Iyer* emphasised the need of amending the present law in order to liberalise it. He asked the Home Member to furnish a statement as to the number of prosecutions under a similar section of the law in England, a comparative study of which would convince them how stringent the law of sedition in India was, how it was administered ruthlessly, devastating Press and platform. Government were afraid of circulating this Bill, as public opinion would condemn the Government for abuse and misapplication of many sections of the Penal Code.

The circulation motion was, however, defeated by 47 votes against 22. The House then adjourned.

RAILWAY BUDGET FOR 1934-35

17th. FEBRUARY :—The Railway Budget for 1934-35 was presented to-day in the two Houses of the Central Legislature by *Sir Joseph Bhore*, the Railway Member. in the Assembly, and *Sir Guthrie Russel* in the Council of State.

The actual gross earnings during 1932-33 were 85.32 crores against 86.50 crores forecasted in the revised budget estimate for the year.

There is a loss in the working for the year 1932-33 of 10.23 crores. The loss has been met by a temporary loan from the Depreciation Fund, which leaves a balance of 12 crores in the Fund.

The loss, after paying all charges including interest, will be $7\frac{3}{4}$ crores—a reduction from the previous year by about $2\frac{1}{2}$ crores. The loss will again be met from the Depreciation Fund.

The budget expects an increase of $2\frac{1}{2}$ crores, or about 3 per cent. in the gross earnings. The working expenses will be increased by about one-third of a crore. It is hoped at the end of next financial year, the loss will be reduced to $5\frac{1}{4}$ crores.

Account was given of the method to attract more passenger traffic by cheaper fares for short journeys. It had been estimated that tourists spend at least 60 lakhs in India annually.

“Our works programme for the coming year is rather more ambitious than that for this year. We expect that we shall require about 14 crores; of which 70 lakhs will be found by a further reduction in stores balances.”

The recent disastrous earthquake has done about one crore of damage to railways. Then again serious damage has been done to the protection works of the Hardings Bridge by floods, the cost of repairing which may amount to as much as one and half crore. The works programme does not provide for any new constructions. The strategic lines show the usual 2 crores deficit.

According to estimates presented by *Sir Joseph Bhore* the final results of working of Railways during 1933-34 are not likely to vary from the budget estimate.

The estimated deficit on all railways (including usual two crores on strategic railways) is put at seven and three quarters crores as against ten and a quarter crores last year. Though passenger earnings have fallen by over a crore during the period goods earnings improved considerably.

Considerable additional expenditure is expected in repairs to earthquake damages and in repairs to and remodelling of Hardinge Bridge protection and training works.

Though full details are not available at present, it is estimated the total cost in 1933-34 and following two years may be between two and a half crores, of which the capital expenditure may be a crore and the revenue expenditure between one and a half crores.

As this is considered abnormal in character, it is proposed to spread debits on account of this to revenue expenditure between one and one and a half crores.

As this is considered abnormal in character, it is proposed to spread debits on account of this to revenue, over a longer period. Expenditure not chargeable to capital will, in the first instance, be debited to the depreciation fund and repaid from the revenue by instalments of fifteen lakhs yearly.

The net revenue of railways in 1933-34 is expected to be two crores higher than the previous year and the interest charges half a crore lower, because of lower rate paid on Government borrowings.

The total deficit of seven and a three quarter crores will be met by temporary loan from the Depreciation Fund, which will stand at eleven and three quarter crores at the end of the year.

The estimate for 1934-35 hopes for an increase from all State lines of two and a half crores, or roughly three per cent in receipts over the current year.

The slight increase of a quarter of a crore in the working expense is counter-balanced by decrease in interest charges and the deficit in commercial lines is reduced to three and one-third crores.

The total deficit, including strategic lines is five and one-third crores, which will as usual be met from further loan from the Depreciation Fund.

It is expected that the balance of the fund at the end of the year will be about eleven and a half crores. Loans from the fund to meet the deficits will stand at twenty-seven and a half crores.

Both during 1933-34 and 1934-35 the cost of renewals and replacement charges to depreciation fund, including the cost of repairs of earth quake damages and repairs of remodelling of the Hardinge Bridge protection and training works will be substantially less than amounts put into the Fund, the total surplus being twelve and a half crores.

Temporary loans to meet the deficit in two years will, therefore, reduce the balance in the Fund by only about half a crore.

Taking a period of eleven years beginning from 1924-25 and ending in 1934-35 the first six years were period of prosperity and the following five years had been otherwise. Crescendo of deficits began in 1930-31 with the five crores, grew to nine and a quarter crores in 1931-32 and reached its height in 1932-33 with a figure of ten and a quarter crores.

Sir Joseph hopes that that constitutes a peak, for he expects the deficit to be seven and three quarters crores in 1933-34 and about five and a quarter crores in 1934-35.

The Railway Member pointed out that railways will, in spite of five bad years since 1929-30, had still made profit of fifteen crores in eleven years since the railway finances were separated.

They have also contributed during the first seven years 42 crores to the general revenue and put by thirty-nine crores into the Depreciation Fund after meeting the cost of current replacements and renewals which had enabled them to meet their deficits in recent years without outside borrowing.

The works programme for 1934-35 is higher than in recent years. The total sum provided is thirteen and a quarter crores, after providing for reduction of stores balance by three-quarters of a crore.

The programme does not provide for any important new constructions and is mainly for essential open line works and includes 170 lakhs to provide for urgent works in connection with earthquake damages and reconstruction and remodelling of protective and training works of the Hardinge Bridge, and also provides over crores for renewal of 2,500 general service wagons.

Sir Joseph Bhore referred to the misapprehensions which may exist as to the attitude of railways towards competitive forms of transport which have of recent years been making inroads into railway traffic. He said: "Speaking for Indian railways generally, I would combat any impression that they desire to maintain at any cost and by any means a monopolistic position, from which to exploit public, but chiefly concerned with elimination of wasteful competition and utilisation of available resource of the State to the best possible advantage to the public.

The Government of India are now in correspondence with the local Government on the resolutions of the Rail-Road Conference and have every reason to hope that a beginning has been made in attracting serious attention of the various authorities concerned to a problem which has been found so difficult of solution in other parts of the world, and in securing recognition of the view that it can only be successfully attracted through co-operation between various administrative units that under existing system of Government have control over different parts of this complex problem.

Sir Joseph Bhore's speech concluded on a note of hope. He said: "I would like to pay my tribute to all railwaymen for the steadfastness with which they have faced depression of the past few years. Happily we may with some justification hope that clouds are at last beginning to exhibit signs of lifting. Such improvement as our revenues have shown in the current year have been persistent and well maintained. Steady enlargement of our goods traffic is an indication that trade and confidence are beginning to revive. If we have still far to go before we can reach normality, we can at least face the coming year with renewed hope and lighter hearts."

DISCUSSION OF RAILWAY BUDGET

19th. FEBRUARY :—The debate of the Railway Budget commenced to-day. An attack on the Government's railway policy was started by *Dr. Ziauddin Ahmed*, who criticised the capital expenditure and deprecated the principle of borrowing money without interest from the Depreciation Fund, which he described as the "deficit fund." For stimulating goods traffic, he stated, it was necessary to raise the prices of the agricultural produce. He maintained that the working ratio of the Indian railways was much lower than any railway in the whole world, which was due to the low wages of the railway labourers. He suggested the re-introduction of the 1921 Convention that one per cent of the railway revenues should go towards the general revenues, which until last year totalled fourteen and half crores.

Mr. Naba Kumar Singh Dudhuria wanted a reorientation of the railway policy, and suggested that competition with other means of transport like motor, air and steamers should be replaced by co-ordination. He suggested the Railway Board be abolished and a Department of Transport be established instead.

Mr. Amarnath Dutt favoured the reduction of third class fare and asked for ordinary amenities being provided for the travelling public. He complained about the very bad food supplied at the railway stations. He stated that it was useless to spend more money on the Willingdon Bridge as its safety has been endangered.

Mr. Sant Singh pointed out that the retrenchment which affected only the lower grade of employees did not show improvement in the budgetary position. He also alluded to racial discrimination in the services of the Indian railway.

Mr. N. M. Joshi charged the Government with moral and commercial negligence in the matter of third class passenger traffic. The Government policy of favouring the upper class passengers, he said, at the cost of the poor people would never succeed.

Strongly attacking the policy of the Railway Board, *Sir Henry Gidney* said that time had come when Indians themselves should take charge of the railways.

Diwan Bahadur Ramaswamy Mudaliar pointed out the vast divergence in the operating ratio, including the depreciation funds of the different railways. Referring to the fact of borrowing from the Depreciation Fund, he said there was something radically wrong with the rules of the Depreciation Fund which should not only be revised soon but also be given retrospective effect from the last five years. He demanded that the experiment of reduction of third class fares should not be confined only to the North-Western Railways. The Publicity Bureaus at London and New York, he said, were suffering from want of imagination of sufficient funds, as it cannot attract, as in Switzerland, rich tourists.

Mr. Bhupat Singh said that the promise made last year by the Commerce Member to enquire into the grievances of third-class passengers had not been substantiated. The continued fall in revenues was due to the increased fares and callousness to the intolerable discomforts of the third-class passengers who were treated like cattle and it was no wonder that they had boycotted the Railways. He stressed the need for providing fans in third-class compartments and referred to the maltreatment at the Hardwar station. Regarding retrenchment, he said that unlike anywhere else in the world, posts were created here to provide new men.

Messrs Raghbir Singh, Syed Murtaza Saheb and *B. Das* also spoke in the same strain. *Sir Leslie Hudson* defended the Company-managed railways from the attacks of the previous speakers. *Bhai Parmanand* favoured recruitment in railway services according to merit. But if Muslims or other minorities insisted on communal representation, the Hindus would not allow this to continue unchallenged. *Mr. C. S. Ranga Iyer* supported *Sir Henry Gidney* that the management of the Railways should come into the hands of the Indians.

Replying to the debate, *Sir Joseph Bhole* made an important announcement that the question of producing locomotives in India was already taken up by the Government and its possibility was being most carefully examined. The Government would not rush for new extension of railways without consulting the local Governments. Concluding, *Sir Joseph* said that by giving the full value of the money paid by the customers the Railways would be able to compete successfully with other kinds of transport. The House then adjourned till the 21st.

VOTING ON RAILWAY DEMANDS

21st. FEBRUARY :—Demands for grants in respect of the Railways were submitted to vote in the Assembly to-day and discussion on the cut motions under various items given notice of by members followed.

RAILWAY BOARD CRITICISED

Sir Joseph Bhore moved for the first demand under head 'Railway Board' of a sum not exceeding 8 lakhs and 45 thousand.

Dewan Bahadur Ramaswami Mudaliar, on behalf of the Independent Party, initiated attack on the railway administration so far as it concerned the passenger traffic. He asserted that the good old days had definitely gone when people undertaking a railway journey used to think that they were undertaking an adventure, and consciousness of the rights of the travelling public along with sense of discomforts were increasing daily. It was time, he stated, that there should be re-examination and re-orientation of Railway administration and the Government must initiate a forward policy.

"Abolish first class traffic if you want to make the railways a commercial and paying concern"—thus asserted *Mr. N. M. Joshi* while criticising the policy of the Government regarding the passenger traffic. He cited figures to show that Government got on an average Rs. 208 from a first class seat, Rs. 236 from a second class seat and Rs. 241 from a third class seat and still the railways paid more attention to the amenities of the upper class passengers at the cost of the third class passengers. It would be a commercial proposition, he said, to reduce the number of first and second class seats and increase the third class accommodation.

Dewan Bahadur Mudaliar withdrew his cut motion after a sympathetic reply from *Sir Joseph Bhore* that the railways were doing their best to improve the travelling conditions of the passengers as far as possible. Even in the present budget, the Railway Member stated, in spite of deficit, Government had provided 38 lacs to be spent for the purpose. He stated that the Indian Railways provided nineteen and half inches space for every third class passenger as compared to 20 inches by the Railways in the United Kingdom.

Mr. Gayaprasad Singh moved that the demand under head "Railway Board" be reduced by Rs. 105 with a view to raise a debate on the question of the creation of Statutory Railway Board. The mover stated at length how the idea of a statutory authority for the Railways first originated and how it was being proposed that it should be created by a legislation of the British parliament. He read extracts from the report of the Federal Structure Committee that both Messrs. Jinnah and Jayakar opposed the idea most vehemently. He regretted that the little control which the Legislature possessed over the administration of Railways in which Indians had invested 800 crores should be taken away.

Mr. Yamin Khan, *Mr. Naba Kumar Singh Dudhoria*, *Diwan Lalchand Navalrai*, *Sardar Harbans Singh Brar* and *Mr. Bhupat Singh* spoke against the proposed Railway Board. *Mr. Bhupat Singh* also deprecated communal representation on the Board. The debate on the motion had not concluded when the House adjourned.

22nd. FEBRUARY :—*Raja Bahadur Krishnamachariar* read extracts from the White Paper proposals in which it was contemplated that under the Federal Government Railways should be controlled and administered by statutory authority. The White Paper further provided that such railway authority should be created by a provision of constitutional act which would be an act of Parliament. The speaker pointed out that members of the Central Legislature who sat on the London Committee were faced with this situation, however much they might be opposed to the legislation by Parliament in this behalf.

Mr. K. C. Neogy dwelt on the genesis of the statutory railway authority and stated that the idea was first mooted in 1930 when the Government of India in their despatch on Simon Commission Report suggested that under the coming reforms the administration and control of the Railways should be placed under statutory authority. Giving further history of the statutory railway authority, *Mr. Neogy* said that the matter was never discussed adequately in the Federal Structure Committee and it was smuggled into the Report of the First Round Table Conference that the Federal Structure Committee had recommended the creation of a statutory railway authority. He observed that the Indian Railways were the biggest co-operative body whose ownership belonged to the Indian Tax-payers in the past when the railways were working under a system of guarantee and the Indian tax-payers contributed huge sums to meet the deficits in railway earnings. If the fundamental principle of ownership by tax-payers of the railways be accepted, it had to be admitted that the legislature should have every control over the railways. Continuing, *Mr. Neogy* asserted that it was of supreme importance that this

legislature should have the freest and fullest liberty to legislate on the policy and administration of the railways inasmuch as the future legislature would exercise similar rights of amending such legislation.

Sir Abdur Rahim, Leader of the Opposition, emphatically asserted that the fullest right of legislation with the right of amending for setting up the statutory railway authority should lie with the Central Legislature and not only the control of general policy, but also the control of the administration of railways should be exercised by this legislature. He asked for opportunity for the House to discuss the joint memorandum by the British delegation regarding this matter.

Sir Joseph Bhore informed the House that His Majesty's Government had not yet decided whether legislation regarding the Statutory Railway Board should be by the Indian legislature or by the British Parliament. Since a cut motion always meant censure on the Government for the acts of commission or omission and as the Government took no decision on the matter justifying the censure, he requested the mover to withdraw the motion, which Mr. Gaya Prasad Singh did.

The House accepted the withdrawal of the motion on the understanding that the British Government should be communicated with about the desire of the House that the Constitution Act should include a clause providing the Indian legislature with the right to legislate regarding the constitution of the Statutory Railway Board and railway administration generally.

INDIANISATION OF SERVICES

Sir Hari Singh Gour moved a token cut to discuss the question of the progressive Indianisation of Railway services in all grades. He stated that for the last so many years the question of the Indianisation of services was engaging the attention of Indians and as a result the Islington Commission, and Lee Commission had made definite recommendations in the matter. But no satisfactory progress had been made.

Mr. Harbans Singh Brar, Colonel Gidney, Lala Brijkishore, Mr. Goswami Puri, Gopikaraman Roy, Mr. Bhupat Singh, Mr. Amarnath Dutt, Mr. N. M. Joshi and Sir Cowasjee Jehangir all spoke supporting the motion.

Sir Joseph Bhore, replying, said since the recommendations of the Lee Commission had been accepted in 1925, the Government had given definite effect to their recommendations and Indianisation of the services had progressed satisfactorily.

The motion was withdrawn after which the House adjourned.

23rd. FEBRUARY:—*Sir Leslie Hudson* moved a token cut to-day to call attention to the importance of the constitution of rail-road co-ordination and organisation of communication boards. He emphasised that the road and the railways were national assets and in the national interest it was necessary that the railways must be maintained at the first class working order. It could not be in the economic good of the country to allow the Railways to deteriorate by allowing duplicate transport to complete under uneconomic condition. The development of the railways and road-traffic rested on different hands neither of whom had a broad outlook to envisage the direction in which both could be developed.

Mr. B. Das lodged a trenchant criticism of railway mismanagement and extravagance. He complained that the railways repudiated their debt of six crores to general finance which was decided upon at the railway separation convention.

Replying to the debate *Sir Joseph Bhore* said that the holding of another rail-road conference before the results of the last conference materialised would be premature. He hoped that the outcome of the last conference would be greater measure of co-operation in future between the Central Government, Railways and the provincial administration, which was essential in the best interest of public communication in India. He admitted the railways must provide more attractive service than their rivals in order to capture traffic. He suggested that motor transport, instead of entering into an uneconomic competition with the railways, should make it more useful by serving as feeder transport.

The cut motion was then withdrawn.

Sardar Harbansingh Brar moved a substantial cut motion refusing grant to the Railway Board. He contended that the Railway Board performed no useful purpose to justify their demand for any grant. Gross maladministration and extravagance prevailed in the Railways and the Railway Board did not have any watch on them. Huge capital expenditure were undertaken by the railways only to profit contractors and engineers which in the end would prove useless or dangerous to the pub-

lic. He cited the example of the Hardinge Bridge which cost three and a half crores of rupees. He also narrated the grievances and inconveniences of the travelling public. The motion was defeated.

Next, Mr. *Maswood Ahmed* moved a token out to discuss the question of inadequate representation of the Muslims in the railway services.

Mr. *Sant Singh* stated that the Sikhs had not been given proper representation in railway services. Mr. Ahmed's cut motion was negatived. The House then adjourned.

24th. FEBRUARY :—Mr. *Maswood Ahmed* moved a token cut to-day to discuss the question of the unreasonable rates of freights. He observed, in prescribing the rates, the interests of the public as well as the interests of the carrier must be looked into. But where both cannot be reconciled, the interest of the public must prevail. He pleaded for reduction of freights on food grains.

Sir Joseph Bhore, replying, stated that the freight on rice had been reduced and the railways made reduction in rates as far as possible. Further concession, the Commerce Member said, would mean loss to the railway earnings.

Mr. *B. Das* declared that the main policy of Government underlying the railway administration is to help foreign trade and to give facilities to the military. It was time that the Government developed a scientific attitude towards the connection between the railways and the indigenous industries and agriculture.

Mr. *Jagannath Aggarwal* observed that the Railways followed no consistent policy with regard to rates. Whenever any industry or agricultural produce cried for relief, they considered it piecemeal and found only a temporary measure.

Mr. *S. C. Mitra* pointed out that due to unjust manipulation of rates, business in mustard oil and coal in Bengal were having a shaky existence.

Mr. *A. H. Ghuznavi* maintained that owing to high freight on coal and surcharge on it the trade was tottering.

Mr. *K. C. Neogi* asserted that the railway rates policy has been determined more by consideration of promoting the foreign trade, both import and export, than by the consideration of helping the promotion of internal trade. He asked if the Government had changed that policy. He maintained that the principle of what the traffic can bear should be applied in fixing the rates.

Sir Cowasji Jehangir held if particular industries were allowed concession of rate the ultimate loss by the railways will have to be borne by the taxpayers.

After *Sir Joseph Bhore's* reply the motion was withdrawn.

After several other cut motions by *Dr. Ziauddin Ahmed*, *Mr. S. C. Mitra* and *Mr. B. Das* raising discussions on the system of appeal by the railway employees against dismissal, condition of the State Railways Press employees and making Cuttack a first class railway station were disposed of, guillotine was applied and the railway demands for grant under various heads were put to vote and passed.

The House then adjourned till the 26th.

SALT IMPORT DUTY BILL

26th. FEBRUARY :—The Assembly met to-day with a heavy agenda of official business. *Sir George Schuster* introduced the Salt Additional Import Duty Extending Bill, extending the life of the Act until April 30, 1935, with the modification that in sub-section 4 of section 5 of the Act, for the words Rs. 54-12 in both places where they occur, the words Rs. 50 should be substituted.

TRADES DISPUTES ACT EXTEND. BILL

Sir Frank Noyce introduced the Trades Disputes Act Extending Bill. He said that the Act would expire on May 7 next. Opinions on the Bill had been collected on the question of converting it into a permanent measure. The majority of local Governments and bulk of non-official opinion favoured this course and the Bill would seek to make the Act permanent.

Sir Frank Noyce added that this motion should not be taken to mean that the Government had rejected the proposals for changes in the law, but owing to heavy business the Government were unable to ask the House to consider further amendments during the present session.

TEXTILE PROTECTION ACT

Sir Joseph Bhore introduced a Bill seeking to extend until April 30, 1934, the existing Textile Protection Act with a view to giving the Indian Legislature time

to pass its verdict on the Bill introduced on February 5 providing for the grant of a substantive protection to the industry. He proposed that the Bill should be immediately considered and passed. Sir Joseph Bhore explained that before introducing the Bill he had consulted leaders of all parties and received their concurrence.

The Bill was passed without any discussion.

THE RESERVE BANK BILL

Sir George Schuster then moved that the amendments made by the Council of State in the Bill constituting the Reserve Bank be taken into consideration. He said that the amendments were purely formal and in most cases were corrections of verbal errors.

The House approved all the amendments and the Bill, as amended by the Council, was passed without discussion.

WHEAT IMPORT DUTY ACT

Sir Joseph Bhore moved that the Bill amending the operation of the Wheat (Import Duty) Act be taken into consideration. He said that if the duty were abolished a further undesirable decline in the price of Indian wheat would occur and that, since the import duty in the past had not resulted in an unreasonable rise in prices of Indian produce, and the harvest this year was very good, consumers' interests were quite safe.

Raja Bahadur Krishnamachariar asked why Sir Joseph Bhore had not given figures beforehand and inserted them in the statement of objects and reasons. The Government's attitude seemed to be that the Assembly were merely there to pass official decrees. An article had appeared in the press to-day saying that a new Assembly would be elected. He asked the Commerce Member not to place members in that position and help them with figures beforehand so that members be able to study and criticise. He spoke particularly of the case of rice which the Government were ignoring. He asked the reason of this indifference to Madras, which in the past had been milched to keep the Central Government going. He warned that he would oppose the Bill until rice was given protection.

Mr. G. Morgan joined issues with the previous speaker, asking for supply of statistics beforehand. For the first time since the additional duty was brought in he had supported it and hoped that the Commerce Member would consider the case of flour mills, particularly those working at ports facing hard competition.

Mr. Maswood Ahmed supported the case for rice and asked why wheat was sent at cheap freights to Bihar and Bengal and why should a similar concession be not shown to the carriage of rice northward. He thought Punjab had a strong influence in the Cabinet than Bengal (laughter).

Dewan Bahadur Ramaswami Mudaliar supported Mr. Morgan's argument that Government should plan out the economic production of wheat and not launch irrigation schemes like Sukkur, which were only causing overproduction. He complained that Government were not giving proper attention to ricegrowers, who constituted the majority of cultivators and taxpayers compared to wheat interests. Siamese rice was playing havoc in Madras. He pleaded that as India could be self-contained with Indian and Burma rice, foreign rice should not be allowed to enter the country.

Dr. Ziauddin Ahmed and Messrs. Jadav, Yamin Khan. S. C. Mitra and Azahar Ali supported the motion.

Mr. G. S. Baipai denied that Government showed any favouritism in respect of any particular agricultural produce. Referring to Mr. B. Das's remark that in spite of the fact that there is a Bengalee in the Viceroy's Executive Council, Bengal's interest as a rice-producing province was not safeguarded, Mr. S. C. Mittra remarked that it was far better that Bengalees were given the portfolio of Commerce or some other Department, for Law Members who had so far been recruited from Bengal had to come at a huge sacrifice of lucrative practice at the Bar.

After Sir Joseph Bhore had replied the Bill was passed.

EXTENSION OF STEEL PROTECTION ACT

Sir Joseph Bhore moved for consideration of the Bill further extending the period of the provisions made by certain Acts for the purpose of fostering and developing the steel industry and wire nail-industry in British India which expires on March 31 next. The Commerce Member stated that the Tariff Board was enquiring into the

question of continuing the protection of this industry and pending their report which is expected in May next it is necessary to extend the existing protection.

Raja Krishnamachari contended that as the Tata Iron and Steel Company were in a flourishing condition, no further protection was necessary. He pleaded for some agricultural relief at the cost of industrial protection.

Mr. S. C. Mitra and Mr. B. Das supported the Bill in its second and third readings.

MEDICAL COUNCIL ACT AMENDMENT

Mr. Bajpai next moved that the Indian Medical Council Act be amended so as to include the Rangoon University for purposes at the operation of the Medical Council Act enabling persons enrolled in the provincial register of Burma and possessing medical qualifications granted by the University, to elect one member from amongst the members of the Board of Studies in medicine to the Indian Medical Council. The Bill was passed and the House adjourned.

INDIAN NAVY DISCIPLINE BILL

27th. FEBRUARY :—Mr. G. Tottenham moved to-day that the Indian Navy Discipline Bill be referred to a Select Committee. The Army Secretary gave the history of the origin of the Bill and stated how a similar bill was rejected by the House in 1928 by the narrow margin of a single vote. He emphasised the need of converting the Royal Indian Navy, which the Bill sought to do, to give the Indian Marine the status and dignity which it eminently deserved. Continuing, the Army Secretary pointed out that Indianisation of the Navy could successfully be given effect to if the Bill were passed by the House. He also dealt with the present constitutional position of Indian Marine which could be utilised for Imperial purposes even without consulting the India Government and explained that the contemplated Indian Navy would be an Indian force under the control of the Government of India.

Sir Abdur Rahim, in the course of a trenchant criticism, informed the Army Secretary that mere change of name from the Royal Indian Marine to Indian Navy would not satisfy anybody who knew what the future constitution was going to be like, whether the Indian Navy like the Indian Army as suggested in the White Paper would be outside the control of the Federal Government. When the personnel of the Indian Navy and the rate of Indianisation had not yet been announced he could not lend any support to the measure.

Mr. B. Das moved an amendment by which he sought the circulation of the Bill until July 31 next.

Sir Cowasji Jehangir observed that the Indian Legislatures was fully justified in rejecting the Bill in 1928, but under the changed circumstances it would now be advisable to welcome the measure as the Indian Army would not be used for purposes other than the defence of India without the approval of the Central Legislature.

Mr. Tottenham replying removed all suspicions and apprehensions expressed by non-official members as to the genuineness of the object of the Government in initiating the Bill at present.

The circulation motion of Mr. B. Das was accepted by the House. Thereafter it was adjourned till 5 p. m, when the General Budget for 1934-35 was presented by *Sir George Schuster*.

Financial Statement for 1934-35

The actual result of 1932-33 is that after providing 6,84 lakhs for reduction of debt there was a surplus of 1,55 lakhs, so that without taking into account reduction of debt the excess of receipts over outgoings was 8,39 lakhs.

The revised estimates for 1933-34 show that, leaving out of account the reduction of debt provision, there will be a surplus of 4,29 lakhs. In the budget estimates a surplus of 25 lakhs was expected.

The deterioration is accounted by a drop of 5,04 lakhs on revenue, partly balanced by a saving of 2,20 lakhs on expenditure.

The saving is mainly for receipt of 1,78 lakhs on account of payments from Britain towards the defence following the Capitation Tribunal award, and non-payment of 88 lakhs interest on War debt.

While gross figures of the Government's indebtedness have increased (919 crores in 1924 to 1,213 on March 31, 1934—an increase of 294 crores)—the value of the productive assets held against the debt have increased by more than the same amount (by 314 crores, namely, from 664 to 978 crores).

Turning to prospects for 1934-35, the Finance Member said: "We expect to close the current year, after providing 3 crores for Debt Redemption, with a surplus of 1,29 lakhs, which we propose to transfer to a special fund for Earthquake relief measures.

Imposition of excise duty of 21 annas per hundred-weight on factory-made sugar thus leaving an effective margin of protection of Rs. 7-12. This will yield Rs. 147 lakhs whereof 7 lakhs would be distributed among producing provinces for organising co-operative selling societies among cane-growers or for other measures designed to secure the minimum price for cultivators, for which purpose he would introduce a Bill enabling the provincial Governments to apply schemes for enforcing the minimum price for cane used by factories.

As regards tobacco:—On raw tobacco Rs. 2-6 per pound standard and Re. 1-14 per pound preferential and on cigarettes Rs. 5-15 per thousand plus 25 per cent ad-valorem. The local manufacture would still enjoy protective benefit and the tax would yield thirty lakhs.

As regards silver: The duty on silvers be reduced from seven and a half annas to five annas per ounce, yielding an extra four lakhs.

The initial weight of inland letters is lowered from two and a half tolas to half a tola, coupled with a reduction in charge from one and one-fourth anna to one anna.

For heavier letters charges will continue to be one and one-fourth anna for letters not exceeding two and a half tolas, with additional one and one-fourth anna for successive weights of two and a half tola and fractions.

It is proposed to remit the extra pie per five-pice embossed envelope.

Initial charge on inland book-packets not exceeding 5 tolas in weight to be raised from 6 to 9 pies.

It is proposed to introduce a minimum charge for a telegram of 8 words of 9 annas, while that for an Express telegram of the same length will be Re. 1-2. For each additional word, the additional charge will be one and two annas respectively.

FINANCE MEMBER'S BUDGET SPEECH

Proposals giving final touches to the financial structure built up during the past five years were announced by Sir George Schuster in presenting his last budget to the Assembly to-day. He claimed that in our proposals we are providing fairly for all needs that can be foreseen, that we seem to have touched the bottom and that if the tendencies which have recently been apparent continue there is good hope that there will be a margin next year large enough not merely for the restoration of cuts in pay but for the relaxation of other burdens. But neither India nor any other country is yet out of the wood and a cautious outlook is still necessary.

Dealing with 1933-34, Sir George Schuster said that the general decline in imports had been accompanied by a substantial increase in exports giving a favourable balance of trade of 26 crores in the first nine months. Reviewing the budgetary position for three years since the worst of crises began, the net result was that India would have met all her outgoings from revenue and provided a surplus balance available for debt reduction to nearly eight crores. There was hardly a country that could compare with this position. The Finance Member declared that the debt redemption provision which had arisen in the current year to nearly seven crores would now be reduced to three crores with effect from the current year with the result that after crediting Rs. 178 lakhs as a result of the Capitation Tribunal's award the current year would close with a surplus of 129 lakhs which amount would be transferred to the special earthquake fund.

Dealing with 1935, he said that the net expenditure would be four crores less than in 1932-33 and only two lakhs more, in spite of the substantial unavoidable extra charges, than the revised estimates for the current year. He emphasised that the net expenditure has been reduced from about ninety-three and one-fourth crores in 1930-31 to seventy-six and a half crores in 1934-35. This was a notable achievement. He paid a special tribute to the Commander-in-Chief and the Army personnel as the military budget had come down from a 'contract budget' of about 55 crores to under 44 and a half crores next year.

TAXATION PLANS

The Finance Member next disclosed the taxation plans. The fall in the import of sugar had been the main cause of the budgetary tightness this year. He announced the imposition of excise duty of 21 annas per hundredweight on factory-

made sugar, thus leaving an effective margin of protection of Rs. 7-12. This will yield 147 lakhs whereof 7 lakhs would be distributed among the producing provinces for organizing cooperative selling societies among the cane-growers or for other measures designed to secure the minimum price to cultivators for which purpose he would introduce a bill enabling the provincial Governments to apply schemes for enforcing the minimum price for cane used by the factories. As regards tobacco, the duties proposed are as follows: On raw tobacco, Rs. 2-6 per pound standard and Rs. 1-14 per pound preferential and on cigarettes, Rs. 5-15 per thousand plus 25 per cent ad valorem. Local manufacture would still enjoy the protective benefit and the tax would yield 30 lakhs. As regards silver both as a measure of cooperation with the United States and other silver using countries and to improve revenues the duty on silver will be reduced from seven and half annas to five annas per ounce yielding an extra four lakhs. As regards other items the Government would institute a careful enquiry into the effects of the surcharges during the coming year. The Finance Member also announced the abolition of export duty on raw hides to stimulate exports involving a loss of five lakhs.

POSTAL AND TELEGRAPH RATES

Postal and Telegraph rates are slightly changed to stimulate traffic. Thus the postage of one anna for a half tola letter is introduced and nine annas would be charged for a telegram of eight words. The proposal would involve some loss before traffic responded, but this would be covered by accounts adjustment and would not affect the budget.

THE CASE OF BENGAL

Sir George Schuster next dealt with the case of Bengal which was piling up deficits at the rate of two crores per annum. The Government accepted provisionally the White Paper proposal and have decided to impose an excise duty on matches at the rate of Rs. 2 annas 4 per gross of boxes and to hand over half of the jute export duty to the jute producing provinces of Bengal, Behar and Orissa and Assam on the following basis: Bengal, 167 lakhs, Bihar and Orissa, 12 and a half lakhs, Assam 9 lakhs, Burma 13 lakhs, to compensate for the match consumption tax already in existence. Thus, out of a total revenue under this head of 210 lakhs, the Central Government would be left with three lakhs. A great majority of the Indian States have agreed to levy a corresponding duty. The entire duty will be pooled and each State entering the agreement would get a share. On the estimated consumption the States' share would be 70 lakhs yearly and this is exclusive of 710 lakhs provided for British India. The Finance Member emphasised that these proposals must be regarded as provisional as they could do nothing which would prejudice the position under the new constitution or anticipate the decisions of Parliament.

BIHAR MEASURES

The Finance Member explained the Bihar earthquake relief measures which include a gift of half a crore to the Behar Government for buildings. An additional half crore was being advanced as a loan through the Provincial Loans Fund and the gift to the local bodies of the total sum required for the reconstruction of roads, bridges, schools, hospitals and dispensaries is estimated at about one crore. As for the poorest classes help must come from private charity and for others a loan would be advanced to the local Government on non-onerous terms to be settled according to the needs, while the case of agricultural losses due to the damage to land and crops would primarily be met from the provincial famine relief fund, the central Government would give further support, if required from their special fund.

A SURPLUS BUDGET

The Finance Member has budgetted for a surplus of 79 lakhs for 1934-35 as a result of fresh taxation to the extent of 172 lakhs. As regards the ways and means position all capital expenditure could be met without raising fresh loans. The forecast allows for maintaining treasury bill outstandings at about 30 crores. The position might be modified if sterling remittances exceed the estimates or if favourable opportunities for loan conversions presented themselves.

A BRILLIANT SURVEY

The Finance Member gave a brilliant survey of the economic position of the country. The results of the Government's industrial policy had been that the past

years of unexampled depression had actually been a period of industrial expansion in Indian cotton mills and iron and steel were working during 1933 at 41 and 75 per cent respectively above 1928 capacity. No other country, not even Japan, could compare with this. There had been a great development elsewhere in sugar, cement, electrical apparatus, paints, etc. But admittedly the main interest of India was the agricultural rather than the industrial problem which had hitherto been faced by large remissions of taxes and rent and by the elasticity of the Indian money-lender system with the result that the general condition of the agriculturists was that they had enough to eat and been left with a margin of cash for necessary purchases at something like the normal level of consumption. The figures of cotton piecegoods, salt and kerosene proved this, but there was an undoubted danger that the continuance of low prices might leave an aftermath of the serious problem of indebtedness. These problems the Government have been studying with the provincial Governments and proposed to hold a special conference to review the situation in the first week of April. The Government were reopening the facilities for capital expenditure to the railways and provincial Governments and were financing a generous reconstruction programme in Bihar. The main opportunities lay with the provincial Governments and this matter would be discussed at the forthcoming conference.

Dealing with the possibilities of improving the external demand for India's produce, the Finance Member discussed three main lines. Firstly, with the empire in which case those members who supported the Ottawa agreement had done lasting good to their country and especially to agricultural classes. The Ottawa Agreement was capable of a much wider extension. The second line of action was a bilateral agreement such as that recently made with Japan. Thirdly, they should pay attention to marketing methods and the Government were taking this up and as an initial step were getting out a first class marketing expert to advise first as to certain articles and later as to the general organization.

Concluding his survey the Finance Member said: 'India's financial position in its strength challenges comparison with that of any country in the world and in these times of increasing economic nationalism there is no country that has brighter prospects or greater potentialities for economic advance than India with her own vast market and with her place in the British Commonwealth of Nations'.

GENERAL DISCUSSION OF BUDGET

2nd. MARCH —General discussion on the Budget was initiated to-day by Mr. *Ranga Iyer*, who characterised it as most lamentable. The excise duty not on profits but on production and foodstuff was, he said, the most discredited form of taxation. Sir George Schuster's parting kick would have a most terrible effect on the sugar industry, which would be widely resented. Mr. Ranga Iyer discounted the statement about over-production of sugar. Even if it were true, the speaker asked, why did not the Government find wider markets for Indian sugar in the Empire and buy in exchange machinery for sugar factories? The speaker found behind this policy of imposition of excise duty on matches and sugar a conspiracy to revive the excise duty on cotton manufactures and warned Mr. H. P. Mody.

Mr. *Nabakumar Singh Dudhuria* could not view the Budget with satisfaction. He held that even 44 and a half crores provided for the army expenditure seemed to be quite a huge figure as times are quite normal now.

Mr. *Ramkrishna Reddi* subjected the Budget proposals to a meticulous criticism. The abolition of the export duty on hides, he feared, would cripple the tanning industry which is growing in Madras.

Mr. *Sitarama Raju* criticised the Government's taxation policy at length and suggested that the example of Japan should be followed so that the country might properly be industrialised in a short time.

Maulavi Abdul Matin Chowdhury, Deputy President of the Assembly, pleaded the case of Assam which had only a revenue of two crores and was a deficit province. He complained that the Government of India took away 125 lakhs of excise duty on kerosene and petrol from Assam and deprived the poor province of its revenue.

Mr. *Govind Reddi* urged that the export duty on rice should be abolished. He observed that instead of depending on subsidy from the Central Government, Bengal should find money to balance her own budget.

Mr. S. C. Mitra reviewed the financial policy of the Government during the regime of Sir George Schuster and pointed out that while all additional taxes that were imposed by him remained in tact the provision for debt redemption had been considerably reduced. With regard to the grievance of other provinces that the Bengal Government got relief from Central Government he stated that Bengal's trouble had begun with the most unjust and iniquitous Meston Award. He cited figures to show how much Bengal contributed to the Central Revenue previous to the Meston Award. He was not, however, happy over the amount that Bengal would get from the jute duty, as most of it would be spent on police and military. He next dwelt at length on the Postal budget and expressed his gratification that the loss in the Department had been greatly reduced. Provision for the depreciation fund had been brought down to Rs 8,72,000 as against Rs. 4,403,000 in 1933-34. Continuing, Mr. Satyen Mitra pointed out that according to the Government reply to a question put by him the Postal Department is to get nearly Rs. 15,50,000 as interest on the accumulation of the depreciation fund, and if this amount is added to the income of the Department, then it should not be a losing department. He protested against the excess of Rs. 90,000 that has been charged as interest on the capital outlay. He also expressed dissatisfaction at the method of allocation of income on the sale of postage stamps between posts and telegraphs branches. He suggested that the actual value of the proceeds from telegrams should be ascertained in allocating income between the two branches. The speaker also contended that the amount of Rs. 56,59,000 to the postal side on account of the management of the post office savings bank, Government security and cash certificates, was also not a fair sum. With regard to the reduction of postage on letters weighing half a tola, Mr. Mitra held that it will not prove a boon to poor people, unless the weight was raised to one tola. He suggested that postage on foreign book-posts, packets etc. should be raised from 9 pies to 2 annas, while registration charges on foreign articles should be enhanced from 3 to 5 annas. Proceeding, Mr. Mitra also criticised the retrenchment policy of the department. While the subordinate staff in the post office and the R. M. S. were being ruthlessly retrenched the telegraph engineering branch has been left untouched probably because it was the preserve of Europeans and Anglo-Indians. He refused to believe that the postal department was a losing concern and that postage rates could not be reduced without retrenching the subordinate staff. He maintained that if the recommendations of the Telegraph Establishment Enquiry Committee were given effect to the old rates of postage could easily be restored.

Mr. A. Das also ventilated the grievances of the subordinate staff of the post office. The House thereafter adjourned.

3rd. MARCH :—Resuming the Budget discussion to-day, *Sir Corvasji Jehangir* congratulated Sir George Schuster on producing an original budget, but added that it was really a Bengal budget. (Laughter) He was not envious of Bengal, but wished the House to remember that Bengal and Bombay stood on the same footing in their grievance against the Meston Award. A public meeting called by the Bombay Sheriff had recorded its protest against Bombay being left out and wanting immediate assistance. He voiced that protest in the House and reminded it that the incidence of taxation in Bombay was the highest in India. The Bombay Government and people had done their duty and taxed themselves. (Sir George Schuster : Hear, hear !). If Bengal had the terrorist movement Bombay, too, had her Civil Disobedience. Was it a crime for Bombay not to have terrorism? (Sir George Schuster : No).

The speaker recalled that at the Round Table Conference a federal finance scheme was laid down to the effect that a match excise duty would be taxed for giving the provinces benefit in respect of income-tax. Why had Sir George Schuster anticipated that scheme and had he not given relief to Bombay along with Bengal? He added, "We are yet at a distance from the Federal Government, but we find that the source of revenue kept aside for the assistance of the Federal Government of the future is being immediately tapped. Finally, the speaker referred to what he described as a divine inspiration which had made Sir George Schuster balance the budget. He hoped that this was based on sound foundation, but asked if it was so. Why did not Sir George Schuster draw upon the debt redemption provision before and save the country from an additional burden of taxation ?

Sir Leslie Hudson, leader of the European group, described the financial picture presented by Sir George Schuster as not unsatisfactory, but remarked it would have really been a deficit budget but for the raid on the debt redemption fund.

He asked the Government of India not to restore the cut in salaries to services without simultaneously affording relief to the taxpayer. He approved of the Government of India's decision to take advantage of the cheap money and embark on capital works and hoped that the Provincial Governments would with caution do likewise. While Madras did not like the abolition of the export duty on hide, Karachi, Calcutta and Rangoon welcomed it. He described as generous the Government of India's proposals for financial help to Bihar. While Bengal might feel satisfied over half of the jute tax being given her, the rest of India would have the grim satisfaction that every time they struck a match it was to help Bengal.

Sir Abdur Rahim, leader of the Opposition, congratulated *Sir George Schuster* on the statesmanship and courage shown in his budget proposals. At best he had produced another emergency budget and there was no relief to the tax-payer. Perhaps it was the fault of the system of Government in India which had to take orders from London. The financial policy of the Government of India could not, therefore, be sound. The need of the hour was to increase the purchasing power of the people by industrialisation, which was not possible unless the Government of India were removed from the vicious circle of having always to frame a budget from the expenditure side. It was true that military expenditure had been reduced in recent years from fifty-five to forty-six crores, but what had the Government of India done to press India's case for justice regarding capitation charges? An amount of 170 lakhs did not meet the ends of justice and India was entitled to know from *Sir George Schuster* what steps had been taken by the Government of India. Referring to Bengal, *Sir Abdur Rahim* said that her financial difficulties were due not to the terrorists, but to the inequitable Meston Settlement against which Governors from Lord Zetland had protested. Bengal joined Bombay and other provinces in seeing a more equitable adjustment. In his opinion Bengal, which had the monopoly of jute production, deserved the whole of the jute tax. Concluding, he suggested that the Government of India, while presenting the Central Budget, should give a general picture of the financial position of each province so that the House might understand the situation better and avoid inter-provincial jealousy.

Sir George Schuster, replying to two days' debate, thanked those members who had rebutted the unfair criticism against the generous contribution by the Government of India towards Bihar relief. The attitude of those who command public attention in the Press was not such as would encourage generous action on the part of the Government or others. (Mr. G. P. Singh—We are very grateful).

Sir George Schuster contended that the sugar proposal would still leave a margin of profit after fixing a fair price for cultivators and consumers. Protection was still over 200 per cent. ad valorem and India could not export sugar on the competitive basis, but if any export occurred a rebate of duty would be granted. As regards Bengal the position had been fully examined. The case of no other province was comparable to that of Bengal. They could not under the present conditions restore equilibrium and the Government of India as their bankers had no other alternative but to give them extra income leaving them to fill the remainder of the gap. He did not want the province to entertain the hope that there were other schemes up their sleeves for help to them. *Sir George Schuster* next dealt with the criticism regarding the debt redemption fund and said that the practical answer was provided by the fact that compared to the date previous to his budget the Indian sterling securities in London had appreciated by two-half points showing that the City of London interpreted the budget proposals favourably. In the matter of sinking fund India's practice had been sounder than that of any country in the world. As regards the charge why this fund was not used before, the Finance Member's answer was that previously revenue sources were uncertain and the sinking fund provision was the margin of safety as it had proved in the current year. In any case the proposal in that respect would have to come before the House for its approval. *Sir George Schuster* said that on war loans His Majesty's Government had reduced interest from 5 to 3 and a half per cent.

The House then adjourned till the 6th.

VOTING ON BUDGET DEMANDS—ARMY DEMAND

6th. MARCH:—Interpellations being over in the Assembly discussion on motions for demands for grants under various heads followed. *Sir Abdur Rahim*, moving a token cut in the demand under head 'Army Department', observed that military expenditure in this country was a vital matter, which was responsible for the

heavy taxation under which people of India were groaning. The history of military expenditure in this country, continued the speaker, would show that it is liable to go up from time to time when the finances are easy and it perforce goes down when the Finance Department is in difficulty. The Military Department in its internal organisation being uncontrolled and unregulated by the civil authority, it is apt to indulge in expenditure which the country could not bear. Continuing, Sir Abdur Rahim said it extremely sensible and specially necessary that the legislature and the civil side of the Government, specially the Finance Department, should never relax their vigilance over the expenditure of the Army Department. Referring to the Capitation Tribunal Award, the speaker complained that the contribution of two crores of rupees from His Majesty's Government was far less than what was justly due to India as even from the meagre report supplied, he was convinced that India was entitled to more than two crores, as the maintenance of Indian troops, including the British troops, was not merely for the defence of India, but for Imperial purposes as had been admitted in the report of the Simon Commission. In the name of justice and fair play, Sir Abdur Rahim demanded that the British Exchequer should pay for the maintenance of troops which served only the imperial cause. He also referred to the slow pace of Indianisation of the army.

Sir Henry Gidney urged upon the Army Secretary to seriously consider the reduction of military expenditure. He complained that the Anglo-Indians were given no place while the Indianisation of the army was carried on.

Sir George Schuster, replying to the debate, stated that the reduction in army expenditure had surpassed the expectations and the recommendations of the Inchcape Committee. He also informed the House that the cost of the Frontier operation was being gradually brought down.

Sir Abdur Rahim's cut motion was then defeated by 54 to 43 votes.

EXECUTIVE COUNCIL DEMAND

Mr. B. Das then on behalf of the Democratic Party moved for reduction of demand under the head "Executive Council" to raise a discussion on the Federal Finance system regarding the allocation of the sources of revenue between the provinces and the centre. *Mr. Das* gave the history of the various committees and sub-committees which had examined the complex problem of the Federal finance. Referring to the Peel Committee's recommendations he charged the British Indian delegates for being party to the pact with the States at the dictation of *Sir Akbar Hydari* that fifty per cent of personal income tax of the people in British India should be transferred to the Federal Government for redemption of pre-federation debts.

Mr. K. C. Neogy found fault with the Montagu-Chelmsford reforms which made water-tight allocation of sources of revenues to the Provinces and the centre, as a result of which many Provinces were facing deficits. Nowhere in the federal constitution this financial system prevailed and it was pleasing that the White Paper made definite improvements on the present arrangement in recommending proper financial adjustment.

After *Sir George Schuster's* reply the motion was withdrawn and the House adjourned.

7th. MARCH :—*Sir Hari Singh Gour* moved a token cut under "Executive Council" and raised the question of immediate organisation of All-India Services. He said that the Lee Commission admitted the constitutional anomaly of the Services working on the Transferred field being responsible to an outside authority. Indian delegates in London had made it abundantly clear that they did not see eye to eye with the White Paper proposals. All the delegates, including European representatives, were unanimous that for provincial autonomy it was necessary to provincialise the Services.

The speaker drew attention to a provision in the White Paper defining the existing accruing rights, and said that if the enquiry into the Service question were delayed for four years until after the inauguration of the new Constitution, the country would be asked to bear the burden of the existing accruing rights of 400 to 600 extra officers. The Secretary of State would order each province to quarter a certain number of officers and the Minister would always be a criminal in the dock in dealing with the Service of the officials and answering the charges before the Governor. Further, in view of the new conditions of service under the new Consti-

tution, it was better that the Services were recognised immediately to shoulder the new conditions. At present the Indian Legislature and local legislatures could make laws to regulate the Public Services, but the White Paper took away the right hereafter.

Mr. *Bhupat Singh* said constitutional advance was not worth having if India did not have the control of services. Mr. Lloyd George had defined the services as the "steel frame"; they are white ants which would eat up the foundation of proposed constitution, said Mr. Singh.

Sir *Henry Gidney* agreed that Sir Hari Singh Gour voiced the demand of India. The speaker had put in a dissenting minute to the Indian delegates' memorandum, because he believed there should be a transitional stage when the Government of India would recruit to I. C. S., I. P. S., I. M. S., with a right of appeal to the Secretary of State. There were troubles in India which still required the presence of British officials. However, he agreed that the White Paper proposals in this respect aimed at taking away with the left hand what they had given with the right.

Sir *Harisingh Gour* preferred to censure the Government and demanded division, whereupon a great commotion prevailed in the House. When the Division bell was ringing the President wanted the House to realise the significance of division on the issue and said that if Sir Harisingh Gour's motion was carried by a majority of votes, it would mean censuring the Government for not supporting the proposal of the reorganisation of the Public Services under the federal constitution, a question which was now under the discussion of the Parliamentary Joint Committee. If, on the other hand, the motion was defeated, it would mean that the House rejects the proposals of the reorganisation of the Public Services by a majority.

Sir Harisingh's motion was eventually defeated as a result of the division by 57 to 37 votes.

Raja Krishnamachariar moved a cut motion to raise a debate on the necessity of expediting the constitutional reforms without which he asserted dissatisfaction and discontent would grow stronger. Two preliminary conditions to the early establishment of central responsibility, namely the establishment of Reserve Bank and the acceptance of safeguards in the new constitution had been accepted and therefore any further delay was unjustifiable. He warned the Government that Civil Disobedience Movement was being gradually replaced by a more insidious movement, namely communism. He also wanted an unambiguous declaration from the Government as to whether the present Assembly would be dissolved or not.

Sir *B. L. Mitter*, replying said that the India Government and the Secretary of State were doing all that was possible to expedite the reforms. As regards elections, Sir Brojen said that all depended on the time and scale of the new reforms. On his assurance that the Secretary of State would be informed about the unanimity of this House about the need of the speedy inauguration of reforms, *Raja Krishnamachari* withdrew his motion.

PLANNED ECONOMY FOR INDIA

8th. MARCH :—There being no interpellation the House proceeded with the debate on planned economy which was initiated by the European group through a cut motion to the demand under the head 'Executive Council' to draw attention to the necessity of meeting the need for economic planning by means of (a) re-distribution of the Government portfolios, (b) consideration and consolidation of tariff, (c) formation of the economic advisory council and (d) revision of trade agreements. Keen interest was evinced in the lobbies with regard to the discussion on this wide and important subject.

Mr. *F. E. James*, speaking on behalf of the European group on the cut motion, asserted that to meet the economic necessities of India in the present time and in near future there was special necessity for certain administrative readjustments in the Government of India. He recognised that the methods which were being adopted by other countries for economic recovery might not suit India but recovery would not come by itself unless the machinery of Government adapted itself to the needs of the modern time when all countries were trying more and more to bring about political and economic nationalisation. Referring to the need for adjustments in Government portfolios, he said that the present administrative machinery was archaic and would prove wholly unsuited to modern conditions when greater co-ordination of industrial and economic activities specially under provincial autonomy would be necessary. To achieve this end, the speaker suggested there should

be one member in charge of the Industry and Commerce Department instead of two different Members as at present. He also suggested a separate portfolio for communications and one member in charge of labour and agriculture.

As regards tariffs Mr. James suggested that the Tariff Board should be made a permanent body and its personnel which should be strengthened ought to include at least one person having practical industrial and commercial experience. Its composition, he emphasised, must be flexible and less leisurely than at present. While protecting the established industries, it must not encourage incompetence and should keep watch on the duties it suggests. Its other functions should be the instituting of enquiries on the unprotected industries. As regards the Economic Advisory Council, Mr. James considered the present sub-committee of the Executive Council as the Executive Council itself minus two or three members. He wanted a permanent body of not more than fifteen members who would represent trade, commerce, agriculture etc., and who, in fact, would be the real thinking machine on all economic problems. Mr. James advocated the great necessity of a complete overhauling of India's trade agreements some of which date as far back as 1815. Concluding, the speaker appealed to the Government to give speedy effect to these general and tentative suggestions and asked the Indian members not to suspect any sectarian or communal considerations in these suggestions which were made in the interest of the great country they all lived in.

THE CUSTOMS DEMAND

9th. MARCH :—Before the cut motions were taken up seriatim, the *President* drew the attention of the House to the scope and nature of the cut motions tabled, and referring to the cut motion of Mr. *Sitakanta Mahapatra* seeking to reduce the demand for grant of Rs. 64,35,000 under head "Customs", by which the mover wanted to raise a discussion on the policy of excise duties on agricultural produce, ruled that it would be out of order as the policy was dictated by the Commerce Department and not by customs officers.

Mr. *K. C. Neogy* and Mr. *Gayaprasad Singh* drew the attention of the Chair that similar cut motions under "Customs" had been allowed in past years.

Through the second cut motion, Mr. *Sitakanta Mahapatra* ventilated the grievances of the Oriyas regarding non-representation of the Oriyas in the Customs Department.

Other cut motions under the head 'Customs' were either withdrawn or were not moved or were declared outside the scope of the House. *Dewan Lalchand Navalrai* voiced the grievances of the Hindus of Sind who in reality were a minority community and this led to some heat in discussion.

After several other speakers offered their suggestions on the question, *Sir George Schuster*, replying, said that no injustice was being done to the Hindus of Sind.

Great heat was imported into the discussions on cut motions which related to inadequate repression or paucity of one community or the other in the various department of the Government. The debate proceeded for some time on communal lines, which was greatly deprecated by certain members.

Mr. *Maswood Ahmed's* cut motion seeking to redress the grievances of Muslims in the Postal and Telegraphs services in respect of their representation according to population basis was defeated after *Sir Frank Noyce* replied that in the last year's recruitment fair justice was done to the Muslim community. The House then adjourned.

POSTS AND TELEGRAPHS DEMAND

10th. MARCH :—Lively discussions followed when Mr. *S. C. Mitra* through a cut motion in the demand under 'Posts and Telegraphs Department' raised a debate on retrenchment of the subordinate staff in Postal Department and ventilated the grievances of the lower division clerks and sorters with regard to the compensatory allowance which was denied to them. Mr. Mitra complained that while ruthless retrenchment was effected in the subordinate staff, the higher officers were not proportionately retrenched or even when retrenched were provided in new posts. He pointed out that there was much more scope for economy in the telegraph engineering branch.

Mr. *N. M. Joshi* thought that the policy of retrenchment was a wrong policy. In times of depression, he said, more employment should be provided and instead of closing down the post offices in rural areas which was one of the recommendations

of the Posts and Telegraphs Retrenchment Committee more postal facilities should be provided by opening new post offices. For the efficient administration of the department lower staff was more responsible. So they should not be thrown out of jobs for economy. He suggested that higher officers should be retrenched as an automatic safeguard against unnecessary retrenchment of subordinate officers.

A passage-at-arms ensued between Mr. *Joshi* and *Sir Cowasji* when the latter stated that the posts and telegraph department was a commercial department which should pay its way. If the post offices in rural areas were found to be losing concern they should be abolished. The Government Departments were not charitable institutions to employ men. He asserted that there was a certain room for retrenchment in the subordinate staff than the higher staff.

Sir Henry Gidney championed the cause of the lower staff of the postal department and figured as a great opponent to the retrenchment policy which, he said, assumed an epidemic form in all departments of the Government. He said that the post offices should be looked on as a public utility department.

Mr. *D. K. Lahiri Chowdhury* voiced an emphatic protest against the manner in which the pruning knife was applied against the lower grade postal employees while waste and extravagance were allowed in the Telegraph Engineering Branch.

Mr. *Amar Nath Dutt* suggested to retrench salary and not the employees for the sake of economy if it was indispensable.

Sir Thomas Ryan replying said that to enable the department to pay its way efforts to reduce the expenditure and increase the revenue must continue. He refuted the allegations that lower staff were ruthlessly retrenched while superior officers were left untouched. Neither did he admit that the postal branch was bearing the burden of Telegraph Branch. The motion was defeated.

Mr. *S. C. Mitra* then moved another token cut to voice the grievances of the extra-departmental agents who in comparison to work and responsibility shouldered on them got only nominal allowance so that they might be called a band of honorary workers.

Mr. *S. C. Mitra* moved several other cut motions to draw the attention of the Government to the drastic reduction of selection grade of posts specially in Calcutta and to the grievances and service conditions of railway mail service employees. The motions were withdrawn after a sympathetic reply from Mr. Ryan promising to go into the cases.

Guillotine was applied at this stage and the demands for grants under the various heads of expenditure were put before the House and carried. The House then adjourned till the 12th.

DEATH OF SIR THOMAS RYAN

12th. MARCH :— Mourning and sorrow marked the atmosphere in which the Assembly met to-day. Members were shocked to hear the tragic news of the sudden death of Sir Thomas Ryan when they entered the Council.

Sir Frank Noyce, moving that a message of condolence and sympathy of the House be conveyed to the bereaved family, recalled in choked voice many sterling qualities of the departed and said that the tragedy of his sudden death was deepened by the thought that after a few days he was to leave India to enjoy his well-earned retirement. The *President* deplored that the news of the tragedy came with shocking suddenness and desired to convey the sympathies of the House to Lady Ryan and other members of the bereaved family. As a mark of respect to the memory of Sir Thomas the House adjourned.

INDIAN TARIFF AMENDMENT (COTTON PROTECTION) BILL

13th. MARCH :—*Sir Joseph Bhore* amid loud cheers rose to refer the Indian Tariff Amendment Bill (Cotton Protection) to a Select Committee consisting of Diwan Bahadur A. Ramaswami Mudaliar, Mr. H. P. Mody, Mr. Sitaram Raja, Dr. Ziauddin Ahmed, Mr. B. Das, Mr. K. P. Thampan, Mr. Satish Ch. Sen, Mr. R. S. Sarma, Lala Rameswar Prasad Bagla, Mr. Nabakumar Singh Dudhuria, Mr. C. S. Ranga Iyer, Raja of Kollengode, Mr. J. R. Scott, Mr. F. J. James, Mr. A. H. Ghuznavi, Mr. Hardy and the mover.

Sir Joseph asserted that the problem of imposing protective duty on cotton textile which was intimately connected with silk, artificial silk and cotton yarn was a problem of great complexity. But it was rendered easy by the agreement between the

Millowners' Association of Bombay and the Lancashire delegation in giving protection to the cotton textile industry. The main question which had to be examined were whether the industry established any claim to protection; what should be the measure of protection; whether it attained sufficient standard of efficiency, whether it needed protection and finally whether the continuance of the protection would seriously affect the interests of consumers. The findings of the Tariff Board on these questions recommend to continue the protection. The Tariff Board also examined if the charges of inefficiency levelled against the industry were justified. Continuing Sir Joseph Bhore said that although the progress of the industry under protection during the past years had not been very satisfactory it had been notable, which justified the continuance of the protection. He pointed out that the protective duty did not affect the consumers by enhancing the price level. Internal competition acted as sufficient guarantee to the consumers' interests despite the high level of import duty. The reason why the recommendations of the Tariff Board could not be given effect to in their entirety was the conclusion of the Indo-Japanese Trade Agreement and the Mody-Clare Lees Pact. The fixation of quota in the Indo-Japanese Agreement reduced Japanese competition and the Mody-Lees Pact dealt with competition of the next competitor, namely, the United Kingdom. Explaining why the Bombay Lancashire Pact was accepted by the Government, Sir Joseph said that the Bombay Millowners' Association was the most important and widespread organisation as more than half of its membership came from outside Bombay and also because the Government believed that in the wider interests of India closer Indo-British co-operation was necessary. He hoped that Lancashire would introduce reorientation of their attitude towards the East which, he was sure, had already been effected. By this pact India would sell more cotton to the relief of the agriculturists. Sir Joseph explained why silk and artificial silk industry required protection, but emphasised that future consumers must not be mortgaged for more than five years and after that period these industries must establish their case for continued protection before the Tariff Board.

Mr. B. Das moved an amendment to Sir Joseph Bhore's motion that the Bill be circulated for eliciting the opinion of commercial bodies and the public by the 7th July, 1934. He stated that the Bill needed careful examination in view of the fact that the Indo-Japanese Trade Agreement had not yet been signed, the Anglo-Japanese Agreement had not come to a conclusion, the Mody-Lees Pact which was incorporated in the Bill was anti-national and the interest of the handloom weavers had not been properly looked into. He further complained that the protection given to the sericultural industry and hosiery was not adequate. The speaker chaffed Mr. Mody for entering into pact with Lancashire which he characterised as humiliating.

Attacking the Tariff Board's recommendations, Mr. Sitaram Raju characterised them as special pleading for the mill industry. He would not be sorry if the Board were abolished. Referring to the Indo-Japanese Agreement Mr. Raju said that the quota system incorporated in the agreement was a confession of India's impotence although he agreed that the agreement relating to purchase of raw cotton was only a redeeming feature. Imperial preference given by the Mody-Clare-Lees Pact was not India's gift to England but something forced upon India and India's manhood must challenge it. He wanted protection from continued oppressive claims of the mill industry far more than the protection, to the industry itself as the managing system was a standing disgrace to the mill industry.

Mr. Ramsay Scott considered the Bill as 'much ado about nothing.' Protection given to hosiery was entirely inadequate and cotton hosiery should come under cotton piecegoods and enjoy fifty per cent. protection.

Mr. N. M. Joshi demanded the signing of the Indo-Japanese treaty in India as he did not wish that the ceremonial aspect of the treaty should be taken away. He strongly deprecated the principle of accepting by the Government of the pact arrived at between Lancashire and another private organisation here, however powerful, as India's tariff policy could and must be dictated by one and one body alone, namely the Legislature. He wanted to know what India would get from Lancashire in return of the 25 per cent preference given to her by Mr. Mody.

Mr. Nabakumar Singh Dudhoria also spoke. The House then adjourned.

14th. MARCH :—Resuming the discussion on the Cotton Textile Protection Bill to-day, Mr. Mody said : Once again I have to plead before the House for the cotton textile industry. Mr. Mody refuted the charges of inefficiency levelled against Bombay

millowners and challenged the members to prove the charges. The managing agency system which was much criticised, he observed, was due to the peculiar conditions of India, where capital was shy. Referring to the protests recorded by Calcutta against Bombay's agitation regarding the jute duty allocation, he said that the charge of Bengal that Bombay millowners exploited the Swadeshi movement were based on misconception. Continuing, Mr. Mody welcomed the Indo-Japanese agreement, but complained that the cotton textile industry had not been adequately protected. He gave instances showing how Japanese Shippers controlled the purchase of Indian cotton in the interest of Japanese industrialists to the detriment of Indian manufacturers. If the duty were fixed at fifty per cent the same price-cutting and selling at uneconomic prices would start.

Mr. Mody resented taking off by Government the 1¼ anna specific duty plus five per cent advalorem duty on yarn as provided in his pact with Lancashire. He reiterated his previous charge that a good deal of yarn was imported through Kathiawad ports, which did not find any place in trade return. Tracing the genesis of the Bombay-Lancashire agreement, vulgarly called as the Mody-Clare-Lees Pact, the speaker stated that the agreement was the provision of duty on piecegoods and their recommendation was nothing except taking off five per cent surcharge. He boldly declared that this much-maligned and widely-misunderstood agreement like the Ottawa Agreement was going to be justified and to him Imperial preference was nothing short of reciprocal trade arrangements. He visualised great political significance, as Lancashire played an important part in the Commons, and appealed to all sections of the House to save this industry, which was in every sense national.

Mr. V. Ramkrishna Reddy, supporting the Bill, stressed the important part played by the handloom industry in the economic life of India, which mainly relied on agriculture and cottage industry.

Mr. A. H. Ghuznavi welcomed the measure as it made honest attempts at reconciliation of various conflicting interests, namely, the interests of the cotton growers, the interests of the Indian manufacturers overseas, such as the United Kingdom and Japan. He thanked and congratulated Mr. Mody for successfully entering into a pact with the Lancashire delegation, which produced immediate effect on the political circle in England. The pact had, he asserted, a great political bearing. Continuing, Mr. Ghuznavi said he had documentary evidence that when during the Anti-Partition agitation Bengal declared boycott of British goods and was pledged to purchase the products of Bombay Mills, Bombay Millowners raised the prices by 400 per cent. But Bengal supported and would be always supporting the industry of Bombay, which was national.

Mr. K. C. Neogy attacked the Mody-Lees Pact as this was an expression of abdication of the Commerce Member's function. Bombay did not enjoy the same predominant position, because mills were rapidly growing round different centres for local consumption. So, to say that the Bombay Association represented the major number of Indian mills was incorrect. Quoting from the evidence of the Manchester Chamber of Commerce before the Joint Parliamentary Committee, Mr. Neogy showed that the talks of Lancashire's conceding political rights to India were not real as they insisted on safeguards. He strongly condemned the principle of granting economic concession on political grounds and held that the Pact was all the more dangerous as the other party was ruling the country. He wanted to know if this agreement was a fore-runner of many other similar pacts, of which hint was given by the Secretary of State in the House of Commons.

Sir Leslie Hudson, on behalf of the European group, congratulated Mr. Mody on his agreement which, he said, was in the best interest of India. He criticised the Indo-Japanese agreement as too much favourable to Japan. The House then adjourned.

15th. MARCH:—Amidst persistent interruptions from which he sought the protection of the Chair, *Diwan Bahadur A. Ramaswami Mudaliar* sought to defend the Mody-Lees Pact when discussion was resumed on the Cotton Textile Protection Bill this morning. He said he had great respect for the honest Congressmen who kept themselves outside the House and maintained an attitude of inexorable non-co-operation with the Government but he could not understand the dishonest non-co-operation of "super-patriots" and commercial organisations who refused to send representatives to this House but pestered the Government with interminable deputations. Defending Manchester's demands for safeguards, he declared that this was

provoked by unreasonable and anti-British attitude in the Assembly and in the country. Diwan Bahadur Ramaswami Mudaliar said that one direct result of the Mody Pact was the purchase by Lancashire of more than double quantity of Indian cotton than the corresponding period of the last year.

Mr. *Bhupat Singh* asserted that the Government of India had no justification for giving statutory recognition to the agreement entered into by two private industrial agencies. He regretted that the Government did not accept fully the recommendation of the Tariff Board regarding the silk industry but he hoped that whatever protection had been proposed to be given would revive the once flourishing industry of India and bring back ancient prosperity.

Mr. *Ramkrishna Reddi* opposed the Imperial preference and said that the Ottawa Agreement gave India certain reciprocal advantages but the present pacts assured India nothing.

Without questioning Mr. Mody's business abilities, *Sir Abdur Rahim* declared that the Government's acceptance of the private commercial agreement raised a matter of great constitutional importance. Agreements of this character instead of smoothing matters rather complicated the issues. What would the Government do, he asked, if other organisations representing a sectional interest struck up their pacts with private business corporations in other countries and pressed the Government for acceptance. Unlike the Indo-Japanese Pact the Mody Pact did not provide any definite undertaking by Lancashire to buy a definite quantity of Indian cotton while giving her certain tariff concessions and this element of uncertainty was going to invite enormous troubles. If Lancashire was so willing to help the Indian cultivator as stated by certain gentlemen, why did she not commit herself to some definite quota as Japan did. The Government would be in the danger of narrowing their vision if they encourage instead of discouraging such private pacts. He pleaded for the Murshidabad silk industry and hoped that the Select Committee would insist on the measure being taken for its protection.

Mr. *K. P. Thampan* said that it was bunkum to say that England bought more Indian cotton because of the Mody Pact. The reason should be sought in the Ottawa Agreement. The House then adjourned.

16th. MARCH :—After four days, the debate on the Textile Protection Bill had an exciting end to-day. Mr. *B. Das's* motion for circulation was rejected, but the Opposition backed Mr. *Bhupat Singh's* amendment for extending the time of the Select Committee's labours from ten days to three weeks.

Sir Joseph Bhore opposed the amendment, saying that they would take extension afterwards if necessary. The amendment, being put to vote, was rejected by 54 votes to 32. Thereupon Mr. *K. C. Neogy* declared that the three members of the Democratic Party would not sit on the Committee in view of the Government's attitude. *Sir Joseph Bhore's* motion for a Select Committee was carried without a division.

When the discussion on the Bill was resumed, Mr. *C. S. Ranga Iyer* made a counter attack on Dewan Bahadur Mudaliar for troubling the calm waters of economic discussions by calling the mill-owners, who were not represented in the Assembly, dishonest and treacherous, which really amounted to calling them scoundrels. "Mudaliars rush in where Modys fear to tread," observed Mr. Ranga Iyer, although Mr. Mody was not an angel. The Opposition might well ask why Lancashire clamoured for safeguards when there were Modys and Mudaliars in this country. Eventually, Mr. Ranga Iyer supported the Mody Pact as he believed in Indo-British co-operation for increasing the world market for Indian cotton as also for the vulnerability of India's enormous sea coasts and frontiers. He realised that Lancashire had approached India from a new angle of vision.

Sir Cowasji Jehangir, referring to the Indo-British Agreement, observed that the prosperity of the agriculturists led to the prosperity of the industrialists and if by the Indo-Japanese Agreement the import duty on textiles had been lowered from 75 per cent to 50 per cent to give relief to the cotton-growers he would not grudge it. But he apprehended that the cotton-growers would not be able to reap the benefit of the agreement, as by skilful manoeuvres the prices of cotton would go down. As regards the Mody-Lees Pact, he defended Mr. Mody and stressed the importance of the 'quid pro quo' offered by Lancashire in the agreement, namely, that they recognised India's right of imposing duties on Lancashire goods to protect India's industry.

Mr. *Satyendra Ch. Mitra* could not accept the view that commercial interests and policies were insuperable, specially in a subject country like India. Mr. Mitra

characterised the fiscal convention as a farce and refused to believe that freedom was achievable by reasoning and logic. The House might give any amount of Imperial preference but he declared that England could not force India to buy her goods without real political reconciliation.

After *Sir Joseph Bhore* had replied to the debate, Mr. *B. Das's* circulation motion was negatived. Mr. *Bhupat Singh's* motion to refer the Bill to a Select Committee, with instruction to report within three weeks instead of ten days, was also negatived by 54 to 32 votes. The original motion for reference of the Textile Bill to a Select committee was then passed.

The situation in the House became deeply tense when Mr. *K. C. Neogy* made a statement that in view of the attitude of the Government regarding this important matter the three members of the Democratic Party whose name were included in the Select Committee declined to sit on the Committee. Dr. *Ziauddin Ahmed*, without any party commitment, made a similar statement in his individual capacity. *Sir Abdur Rahim* said that in view of the feeling that members of the Select Committee were being hustled due to the shortness of time he would request the Government to reconsider their attitude.

Sir Joseph Bhore could not say anything beyond stating that the Chairman of the Select Committee would try his best to accommodate the members.

The *President* stated that according to legislative rules, if a Select Committee was unable to finish its labours within the time prescribed in the motion, it was open to come before the House and ask for more time.

The Finance Bill

Sir George Schuster then moved for consideration of the Finance Bill. Without any speech *Haji Wajihuddin* opposed the imposition of extra one pice on book-post. He also condemned the Government's present taxation policy in general.

Mr. *Maswood Ahmed* suggested that there should be a ministry for agriculture and criticised the Government for neglecting the interests of the agriculturists. He pleaded for greater facilities for the export of rice from Bihar. The House then adjourned.

17th. MARCH :—When the discussion on the Finance Bill was resumed to-day, Mr. *E. S. Miller* drew the Government's attention to Burma's indignation at what he characterised as a palpable injustice in failing to give Burma back half of the export duty on rice while favouring Bengal by giving her half of the jute export duty.

Sir Mohammad Yakub pleaded for the abolition of the proposed excise duty on sugar and suggested the imposition of four annas extra duty on salt. (cries of 'no' 'no') He also suggested the imposition of a small export duty on gold which would secure the stoppage of exodus of gold and also bring some revenue to the Government.

Mr. *Jadhava* urged upon the Government the importance of developing Indian mercantile marine in order to foster the trade of the country. He also stressed that company laws should be revised to help the Indian insurance business.

Mr. *Amar Nath Dutt* urged the Government to undo the hydra-headed monster of the Communal Award and the Poona Pact which did great injustice to Bengal and India.

Mr. *F. W. Hockenull* asked the Government what specific solution they contemplated of Assam's budgetary difficulties.

Khan Sahib Fazal Piracha and *Diwan Lalchand Navalrai* also made some observations on the Finance Bill, after which the House adjourned till the 19th.

19th. MARCH :—Resuming discussion on the Finance Bill to-day, *Sir Hari Singh Gour* urged the Government to seriously consider the question of reorganisation of all public services in order to reduce the expenditure of the Government of India if they really wanted to be saved from irremediable bankruptcy towards which they were rushing. He quoted figures to show that India had been saddled during the last five years with additional taxation to the extent of nearly 51 crores. The speaker next stressed the necessity of heavy reduction in both civil and military expenditure and in conclusion asked the Finance Member to be responsive to the wishes of the House if not responsible to it.

Mr. *S. C. Mitra* criticised the military administration and made serious allegations against the military activities in Midnapore, specially in Contai. He narrated

specific cases in which Congressmen and other people had been forced to salute the Union Jack or, on refusal, had been subjected to inhuman tortures, their houses were searched, property damaged, and modesty of the ladies outraged. He further related how schools had been forced to receive batches of soldiers at the time of their visit and how tea-parties and 'dallies' or in lieu thereof cash payments were extorted from the public, (cries of 'shame' 'shame' from the non-official members) The speaker also referred to the indefinite confinement of detenus and warned the Government that repression would fail to extinguish their love for the country.

Messrs. *Anklesaria*, *Yamin Khan* and *Talib Mehdi Khan* made some observations on the Finance Bill after which the House adjourned.

DEATH OF MR. R. T. H. MACKENZIE

20th. MARCH :—When the Assembly met to-day Sir *B. L. Mitter*, Leader of the House, conveyed the tragic news of the death of Mr. R. T. H. Mackenzie, a nominated member, representing the Associated Chambers of Commerce, which occurred this morning at 6-30 under similar circumstances in which Sir Thomas Ryan died the other day. Sir Cowasji Jehangir, Deputy Leader of the Independent Party, Mr. Gaya Prasad Singh on behalf of the Centre Party, Sir Hari Singh Gour, Leader of the Nationalist Party, and Mr. G. Morgan of the European group, all expressed their deep sense of sorrow at the untimely death of Mr. Mackenzie and associated themselves with what came out of the lips of the Leader of the House. They all said that it was too tragic that on the eve of the deceased's retirement they should have to mourn his death. The Chair also associated himself with what was said by the members and party Leaders and in accordance with the wishes of the House agreed to convey to the bereaved family of the departed an expression of sincere condolence and sympathy of the House. The House then adjourned as a mark of respect to the memory of the deceased.

Debate on the Finance Bill (contd.)

21st. MARCH :—When discussion on the Finance Bill was resumed to-day, Sir *Harry Haig* regretted that he was not present when on Monday Mr. S. C. Mitra made a series of serious allegations against the administration in Bengal, as he thought that the Hon'ble Member would speak on finance and not on administration. He wanted a reply and he shall have a reply. Mr. Mitra well knew the procedure of the House regarding seeking information from the House. Most of the questions he (Home Member) had to answer was from him (Mr. Mitra) and that also mostly as regards detenus. It was impossible for any Government Member to give a categorical answer to the points raised in the course of a debate and he would ask the Bengal Government to supply the information.

As regards the functions of troops in Midnapore, Sir Harry Haig pointed out that troops in India were maintained not only for the purpose of defence against external enemies, but for the purpose of giving aid to civil powers in internal emergencies. It was in accordance with these duties that troops were now employed in Bengal. Sir Harry Haig stated that valuable results had been achieved by the presence of troops in Bengal, and Government's anticipations in sending two brigades soon after the terrorist menace, in autumn of 1935, were fulfilled, for the situation was now very much better (Here, Here). He did not wish thereby to minimise the efforts of civil officers, but the great part of the credit for the improved situation was due to the presence of troops. The general spirit of confidence had been restored in Midnapore. And in Chittagong also direct results had been achieved. Sir Harry Haig hoped that nothing should be said or done in the Assembly which would have the effect of trying to discourage troops in Bengal, for he had seen nothing in reports he had received to suggest that their discipline had in any way fallen short of an exemplary standard. Referring to the problem of detenus, Sir Harry Haig was astonished at Mr. Mitra's charges. Mr. Mitra had declared that Government should not imagine that by merely keeping in restraint a few thousand young men they would kill the ideas of patriotism.

Sir Harry Haig asked: "Does Mr. Mitra think that we are keeping these young men in order to kill the ideas of patriotism? The problem of detenus is practically confined to Bengal. Are there no patriots in other provinces. Has Bengal the monopoly of patriotism? Or is it not that Bengal has the monopoly of something different (political murder)? What Government are seeking is not to repress patriotism, but the desire for murder. That is the justification for the policy of keeping

these young men under restraint. We fully believe that they are terrorists. The Bengal Government check their information by placing it before two Judges. If they proceed on wrong information, it is only in a very small number of cases."

Mr. Mitra, interrupting, stated that the procedure was only in respect of State prisoners.

Sir Harry Haig replied: "As regards State prisoners we follow exactly the same procedure as is followed by the Bengal Government in regard to prisoners under the criminal law. I would invite Mr. Mitra to make it clear whether by expressing his feelings, as he did, he in any way desired to support the murder of Government officials or their friends."

Mr. Mitra immediately answered in the negative.

Sir Harry Haig: I have no doubt that he did not desire to encourage that feeling, but somehow his language was open to that doubt. However, the Government policy is to extirpate all those ideas which bring discredit and shame to Bengal. Quite apart from the considerations of morality and inhumanity, I am certain that Mr. Mitra has realised clearly the harm that is generally done to the interests of his own country, the feeling of distrust and estrangement endangered and the handle given to the opponents of political reform, not to speak of the material loss caused to the province and the expenditure involved in maintaining extra police force and the diversion of energies which should be utilised in beneficent activities."

Proceeding, Sir Harry Haig explained the mentality of terrorists. Government had tried amnesty and released them, but time after time they (terrorists) had gone back to the same profession. Terrorists would give up their policy only when they were made to realise that force would not succeed. And that was what Government were endeavouring to bring home to them now so that they might discard those and endeavour to lead a normal life. When that moment occurred, no one would be better pleased than the Government of Bengal.

Lastly, Sir Harry Haig referred to the classification of prisoners and after pointing out that the revised rules were framed in consultation with leaders of parties in the previous Assembly, he stated that class (a) under the present rules was a special class in old rules and statistically it would be proved that it was not correct to say that very few prisoners were sent to class (b) and more in class (c).

Sir Cowasji Jehangir made a strong plea for affording relief to the Bombay Government in their budgetary difficulties. He mentioned the extent to which retrenchment was carried out ruthlessly and the amount of extra taxation which had to be imposed for balancing the budget. The Meston Settlement, he said, was the most iniquitous for Bombay and the tax per head in Bombay was the highest in India.

Replying, Sir George Schuster acknowledged the difficulties of Bombay but he said that the Central Government was not in a position to give a general largess to the province. He pointed out that the Central Government had allowed some concession to the Bombay Corporation recently.

After Sir George Schuster's reply, the motion for taking up the Finance Bill for consideration was passed.

REDUCTION OF SALT DUTY

When the Finance Bill was taken up for consideration clause by clause, Mr. Amar Nath Dutt and Mr. Maswood Ahmed moved several amendments urging reduction of the duty on salt of Rs. 1-4 per maund. All the amendments were negatived. Mr. N. M. Joshi observed that the salt duty was the worst kind of indirect taxes prevailing in India.

OMISSION OF CIGARETTES DUTY

An interesting debate followed when Mr. Maswood Ahmed moved an amendment seeking omission of the proposed duty on cigarettes of 25 per cent. 'ad valorem' plus Rs. 5-15-0 per thousand cigarettes which would have the effect of lowering the existing import duty thus encouraging the influx of foreign cigarettes. Sir Cowasji Jehangir, Sir Hari Singh Gour and Mr. S. C. Mitra, all opposed the proposal and urged the retention of the present duty. The debate had not concluded when the House adjourned.

22nd. MARCH :—When discussion of Mr. Maswood Ahmed's amendment was resumed to-day Sir George Schuster proposed that the debate on the amendment be

held over until an agreement was arrived at between the representatives of the various parties and the Finance Member at an informal meeting.

DUTY ON HIDES AND SKINS

The President agreeing, Mr. Vidyasagar Pandya moved an amendment urging the maintenance of status quo in regard to the export duty on hides and skins, and protesting against the abolition of duty on hides. Mr. Pandya contended that if the duty be abolished, it would kill the tanning industry which was flourishing in Madras and other parts of India. He pointed out that a large number of Moslems was interested in the business and so he asked the Muslim members to support him.

Khan Bahadur Wilayatullah and Sadiq Hasan Seikh opposed the amendment on the ground that due to the export duty, the export of raw hides had considerably dwindled down.

Mr. James stressed that the Indian Tanning industry as a key industry was of considerable importance. Trade in raw hides and the tanning industry, he observed, were not antagonistic but mutually complementary. As for the fall in the export of raw hides, he pointed out that trade depression was responsible for it. But internal consumption of hides had also increased. He cited figures to show that the tanning industry had been growing more and more and if the duty were to be abolished it would seriously injure the industry without at the same time benefitting the primary producer. He further said that under the Ottawa Agreement, Indian-tanned hides were entitled to preferential treatment in the markets of the United Kingdom and this would be lost if the Continental tanners got the upper hand over the Indian tanners by reason of the abolition of the export duty on hides. He whole-heartedly supported Mr. Pandya's amendment.

Messrs Ghuznavi, Harbans Singh Brar, B. Das and O'sullivan also spoke on the motion.

Dr. Ziauddin Ahmed observed that imposition of export duty on raw materials for protecting the industry was a novel argument. He asked, why not protect the textile industry by levying a heavy export duty on cotton? There was, emphasised Dr. Ziauddin, no justification for export duty on hides which was not a monopoly of this country.

Sir Abdur Rahim, leader of the Opposition, opined that there was plenty of surplus hides which, if not exported, would be wasted. While the tanning industry must be given every protection, there was no justification for not facilitating the export of hides which could not be consumed by the Indian tanneries.

Sir Joseph Bore, replying to the question, said that the export of hides decreased from 40,000 tons in 1927-28 to 13,000 tons in 1932-33. He observed that while world conditions played some part in the decrease of the export of hides, export duty was no less responsible.

The amendment was eventually defeated and the House adjourned.

23rd. MARCH :—Further consideration of the Finance Bill was resumed to-day. Mr. Maswood Ahmed moved an amendment seeking to abolish the export duty on skins. He quoted figures to show that the export of skins had been dwindling down year by year since 1913-14. He contended that the fall in this trade was not due to economic depression. For, countries like Africa were getting an increased market in America and the United Kingdom whereas India was heavily losing her market. He pleaded that the recommendations of the Fiscal Commission should be kept in view and relief given to exporters of skins.

Sir George Schuster sympathised with the members who pressed for removal of the export duty on skins, but observed that although export had fallen considerably from 1927-28 onwards, the figures for ten months of 1933-34 had looked up satisfactorily which showed that there was no danger of the export trade being ruined. Further, the abolition of the duty would involve a loss of 15 lakhs in the Government revenue, which was not justifiable under the present circumstances.

In view of the Finance Member's sympathetic reply the motion was withdrawn.

Next Mr. Maswood Ahmed moved a substituted amendment relating to duties on cigarettes. The new amendment urged for levying an import duty of 25 per cent. ad valorem plus Rs. 8-2 per thousand or Rs. 3-4 per maund whichever was higher. The motion was accepted.

Another amendment by the same member, proposing to impose an import duty on unmanufactured tobacco of Rs. 3-4 per pound (Rs. 2-12, per pound in case of the United Kingdom) was carried,

TAX ON LETTERS

Mr. *Maswood Ahmed* then through another amendment sought to raise the weight of letters costing one anna from half a tola to one tola. He urged that letters weighing more than one tola but not exceeding two and a half tolas should cost one anna and three pies and for every additional tola or fraction thereof the postage should be half an anna instead of one anna and three pies of every two and a half tolas or fraction thereof as proposed in the Finance Bill. Mr. *Maswood Ahmed* explained that unless the weight of letters costing one anna was raised to one tola, a reduction in the postage would not benefit the poor villagers.

Messrs. Sitakanta Mahapatra and *Sitarama Raju* whole-heartedly supported the amendment. *Sir Frank Noyce* stated that utmost concession had been made in the reduction of postage for letters and any further concession in weight would entail enormous loss on the postal department. He considered that the concession made were by no means illusory, as some members thought. *Dewan Lalchand Navalrai* asserted that people would always have to pay extra charges as the letters would invariably be found to weigh more than half a tola; so it would be like taking with other hand what was given with one hand. *Dewan Bahadar Navalrai*, *Sarda* and Mr. *S. C. Mitra* also held the same view. *Abdulla Hoon* opposed the amendment. *Sir Hari Singh Gour* supported the amendment. The amendment was, however, defeated by 49 to 37 votes.

All efforts made by *Messrs. Maswood Ahmed*, *Thampan* and *Amarnath Dutt* through successive amendments to lower the rate of postage for letters or to raise their minimum weight failed to achieve any result.

Mr. *S. C. Jog* then wanted through an amendment to lower the postage from one anna to six pies on letters for local service. Many members supported the suggestion, but it was ultimately defeated.

Mr. *Amarnath Dutt* thereafter moved an amendment seeking to reduce the price of post-cards to two pice, which was also rejected.

Mr. *Maswood Ahmed's* amendment for lowering the price of post-card to three pies shared the same fate. He thereafter moved another amendment for reducing the price of post cards to half-anna. The debate had not concluded when the House adjourned till the 27th.

27th. MARCH :—After the question hour in the Assembly, discussion on the Finance Bill being resumed, *Messrs. Amarnath Dutta* and *S. C. Mitra* supported *Maswood Ahmed's* amendment urging reduction in the price of postcards to half-anna and of reply-cards to one-anna. *Khan Bahadur Haji Wajihuddin* suggested the introduction of half-size postcards costing three pies, small size costing six pies, and the normal size costing nine pies. *Messrs. B. V. Jadhav* and *Gaya Prasad Singh* stressed the demand of the country for lowering the price of postcards. They held that the loss in revenues due to reduction in rates will be amply compensated by increase in traffic.

Sir Frank Noyce, opposing the amendment, stated that the reduction rates would involve a loss of fifty-six lakhs of rupees. Traffic in postcards, he cited figures to show, had been dropping since 1929-30, even before the introduction of the enhanced rates. Referring to *Khan Bahadur Wajihuddin's* suggestion, *Sir Frank* showed a quarter size postcard and said that such small postcard costing three pies would be welcome by none (Laughter).

The motion was defeated by 45 to 37 votes.

Mr. *Maswood Ahmed's* amendment urging that the price of reply postcards be reduced to five pice was also defeated.

Sir Frank Noyce, however, agreed to consider his suggestion for the appointment of an advisory committee in the postal department.

BOOK POST RATES

Dewan Bahadur Ramaswami Mndaliar, moving for the reduction in the proposed enhanced rate of book-post, observed that the increase would be a tax on knowledge.

Sir Frank Noyce : The increase has been recommended to check certain abuses.

Mr. *Neogy* : Devise some other means for that. But do not raise the postage all round, particularly on book-post.

Dewan Bahadur's Mudaliar substituted amendment prescribing the postage of

nine pies for initial five tolas and six pies for additional five tolas or fraction thereof on books, patterns, or sample packets was however carried.

Through successive amendments, Messrs. *Maswood Ahmed* and *Amar Nath Dutt* tried to raise the level of the assessable income for purposes of taxation to two thousand rupees. But all of them proved infructuous.

Another amendment of Mr. *Maswood Ahmed* seeking to exempt from taxation income up to Rs. 1,500 also shared the same fate.

Mr. *Das's* amendment urging that the income of one thousand rupees be relieved of any income-tax was supported by *Khan Bahadur Wajhiuddin*, Messrs *Sitakanta Mahapatra*, *Azhar Ali*, *S. C. Sen* and *Amar Nath Dutt*. By 50 to 37 votes this amendment also was lost.

Other amendments being desposed of, all clauses of the Finance Bill were put before the House and passed.

Mr. *Sitaram Raju*, speaking on the Finance Bill, complained that the expedients which were found to meet an emergent situation had now become standardised. With reference to the replies by Government members to the criticism of their policy relating to administration and finances of the country, Mr. Raju said: He had a speech on the ethics of Law and Order from the Home Member and sermons from the Finance Member on the ways and means of not how to improve our finances, but how best to employ our time while speaking on the financial policy of the Government. Speaking on the administrative policy, he compared the condition of India to Ireland and observed that one-third of the people had been in jails, one-third should have been sent to the lunatic asylums and the rest to the "poorhouses".

Continuing, Mr. Raju asserted that while there had been talks of a new constitution, the Government had been pursuing a policy of repression.

Sir Abdur Rahim, leader of the Independent Party, asked *Sir George Schuster* to tell the Secretary of State to give India a greater responsibility and power in matters financial, so that India might get a chance of regaining her financial prosperity.

The House then adjourned till 9 p. m.

When the third reading of the Finance Bill was continued at the post-prandial sitting of the Assembly, Mr. *Agarwal* referred to the provincial jealousies between Bengal with its chronic deficit caused by excessive expenditure on the Police and Bombay with its continued clamour for protection. He said the Punjab might well ask the Government to give back to the Punjab what they derived from Khewra Salt Deposits.

Mr. *Ranga Iyer* criticised the Government for proposing an excise duty on sugar and bringing the sugar bill after the Finance Bill had been passed. The speaker resented giving half of the jute duty back to the Bengalees who were most "greedy" and to whom India meant Bengal.

Mr. *Satyen Mitra* took an opportunity of replying to *Sir Harry Haig's* statement made the other day in the Assembly on Mr. Mitra's allegations against use of soldiers in Midnapore. He deplored the practice of running civil administration in Bengal with the help and co-operation of the military. He admitted there might be occasions and emergencies when military raj might have to be installed, but that should never form a permanent feature of day-to-day administration. He was surprised that instead of making proper enquiries into the allegations he had made, *Sir Harry* should go on showering praises on soldiers on the excellent standard of discipline maintained by them. He referred to the just and generous investigations made by Lord Curzon into the Burma case when British soldiers committed assaults on Burma women. It was British justice, emphasised Mr. Mitra, which was responsible for the permanence of the British Government in the country. But the bankruptcy of statesmanship on the part of the present British Government had lowered British administration in public estimation. Referring to *Sir Harry Haig's* question whether patriotism was a monopoly of Bengal, Mr. Mitra observed, "I never claimed that. What I claimed was that the Bengalees are patriots. Much is made of the assertion that Bengal *bhadralog* Hindus are terrorists, murderers and misguided youths. But may I ask who is it who serves Government at an enormous risk of life? Is it not Bengal Hindu *bhadraloks*?" Continuing, Mr. Mitra quoted the late Mr. Gokhale's words "What Bengal thinks to-day India thinks to-morrow." Mr. Mitra asserted that if the Government wanted peace and conciliation they would have to conciliate Bengal, specially Hindu *bhadralogs* of Bengal. With regard to the classification of political prisoners Mr. Mitra complained that whereas many prisoners convicted of heinous offences were put in class 'B', political prisoners

coming from respectable families having a higher standard of life were classed as 'C'. Even in jails they were treated with hardship.

Sir *George Schuster*, replying to the debate, said he did not wish to keep longer the weary house. Referring to Sir *Abdur Rahim's* criticism of the capitation award, Sir *George Schuster* emphasized that the award had gone against India on all points except one and the assessment made by his Majesty's Government in respect of this one point was reasonable. Referring to Mr. *Mody's* speech he said Mr. *Mody* would have to substantiate allegations against States. As for the loss of revenue the Government were fully alive to the point. Their attitude must be on treating all interests fairly. As regards smuggling, active steps were being taken to minimise that danger. Sir *George Schuster* then made an announcement regarding the port of Bombay, and announced an inquiry into the financial position of the Bombay port. He said:—"The Government of India recognize that the maintenance of the trade and financial stability of the port of Bombay is a matter of far more than local importance in which they have a very direct concern. They have assured the Government of Bombay that they will do all that is in their power to ensure to the port of Bombay conditions of fair and equal competition with other ports and ability to hold its place in such conditions. They propose to institute an early enquiry into the position of the port of Bombay in order to determine what measures on their own part may be necessary.

Sir *George Schuster*, replying to Mr. *B. Das's* point that there should be a better system of taxation, agreed that the time had come when the relative reliance placed on the various heads of taxation should be reviewed. That would be a most important task in future of the Finance Member's responsibility.

As for excisable articles, arrangements had been made to keep a record of the issue of excisable articles from factories from April 1, but no payment would be due until May 1, by which time the bill would become law, so that demand would be made from April 1. He thought that the practical problem raised by the excise duty on matches would have to be faced whenever duty was imposed but had no reason to think that stocks which would elude duty were larger than they would normally be. Sir *George* claimed that the debate showed that his budget proposals were non-controversial and hoped after Sir *Abdur Rahim's* remarks the House might be regarded as accepting their proposals about Bengal beyond the range of controversy. Concluding, Sir *George* said: 'This is the last debate on the Finance Bill that I shall have to handle in India. So many members felt that the Government of India had not been very enterprising in its methods of economic planning and that they would have liked to have seen a popular Finance Member to deal with the finances more in consonance with popular demands. Well, sir, history has not yet passed its verdict on the rightness or wrongness of the various methods tried by many countries to deal with the present situation. It still remains to be proved whether the bold experiments of President *Roosevelt* are right and still remains to be proved what ultimate reaction to the plans of that kind may be. We have followed the less ambitious plans, but yet just as carefully thought out. We have been influenced, let us be quite clear, very much by British methods, but let us also be clear, we have not been influenced by British motives. There was one sentence in Sir *Abdur Rahim's* speech which gave me certain amount of pain, suggesting that we are under the influence of British motives. There is no member of this Government who looks at any question from any other point of view except what is right for India. (Applause). If sometimes we have chosen a course which is harder and less popular, it is because we believe that British methods may in the long run prove better. We have kept our tradition sound and I venture to think that when Indians of the future look back on the history of all these years they would not be so critical as many are to-day of us who have to steer sometimes an unpopular course of trying to follow the right principles and avoid quack remedies.'

The Finance Bill was then passed and the House rose at 1-50 p. m. amidst cheers and adjourned, establishing a record in the length of the Assembly.

THE SALT BILL DEBATE

28th. MARCH :—Sir *George Schuster* then moved further consideration of the Salt Bill.

Mr. *K. C. Neogy* moved an amendment that consideration be postponed pending an opportunity for the House to 'reconsider the terms of the resolution (dated April 1. 1931) for redistribution of the proceeds of the additional import duty on

foreign salt in the light of the action taken by the Government of India and the provincial Governments thereunder'. Mr. Neogy explained how at the time of enacting the Salt Bill the Government got a resolution passed in the Assembly outlining the method of distributing the proceeds of the duty. Firstly, it was laid down that the Government of India would devote a portion of the duty for the development of Northern India sources but the Government had failed in this respect as was clear from the report of the Central Board of Revenue and replies given by the Government to questions put in the Assembly. The resolution stipulated, secondly, that the Government of India would develop other sources for supplying salt to those areas which consumed foreign salt. Mr. Neogy said that the only step taken by the Government was to appoint the Pitt Committee which found that the prospects of making salt on the coast of Bengal were not rosy but the committee emphasised that their finding was based on imperfect data. The Government had done nothing, said Mr. Neogy, to collect all necessary data and come to right conclusion. The resolution, thirdly, aimed that the provincial Governments would also investigate the possibility of producing salt to meet their local demands. The Bombay and the United provinces Governments, although they benefited least from the duty, carried certain investigations but Bengal and Behar did nothing beyond swelling their balances. In a letter to the Government of India the Bengal Government even claimed freedom to utilise the duty 'in a way most advantageous to the people of Bengal'. It appeared from certain sources including that of the Pitt Report that Bengal was antagonistic to the manufacture of salt. Mr. Neogy quoted several documents to show that there was great future for manufacture of salt on the Bengal coast and certain companies were manufacturing it now on a progressive scale. The Government should consider the 1931 resolution and lay down definitely that the duty must be utilised for the development of salt or retained by the Government of India for this purpose.

Sir George Schuster pointed out that the bill itself must be passed before March 31, as otherwise a fresh bill had to be introduced. He agreed with Mr. Neogy that the terms of the resolution should be discussed by the House. He was prepared therefore to do his best to allot time for discussion of Mr. Neogy's motion before the end of the session and hoped that there would be no charge that the Government was bringing it at the fag end of the session.

Mr. Neogy withdrew his motion in order to allow the passage of the Bill.

During the consideration of the bill, *Mr. B. Das* reiterated his suggestion that there should be a standing committee which should report to the House every year as to the effect any protective measure had on the industry. He said he was encouraged in making this suggestion as *Sir George Schuster* himself had in a way supported it on a previous occasion.

Sir George Schuster thought this point could be discussed in connection with Mr. Neogy's motion. As for Khewar salt the Finance Member stated that with a fall in the prices of imported salt the possibility of Khewra salt becoming commercial proposition had been very much diminished. Khewar was not a potential source of adequate supply unless the Governments subsidised it, but at the same time it served as a reserve in case of war or any other emergency when salt could not be imported into India. The Finance Member promised to forward copies of the debate to the Government of Bengal. As for the suggestion of Mr. B. Das he promised to consult the Commerce Member but could not possibly say whether there could be a standing committee to report on the effect of each tariff measure.

Mr. G. Morgan affirmed that Khewra could not supply salt to the Bengal market at Rs. 66 per hundred maunds. *Mr. S. C. Mitra* suggested to the Finance Member not to distribute the money collected under the Bill until Mr. Neogy's motion was disposed of. *Mr. S. C. Sen* expressed a desire to see Bengal regain the position of manufacturing her own salt. If the Bengal Government persisted in its apathy towards the manufacture of salt then the Central Government should undertake the work. *Mr. Maswood Ahmed* expressed the fear that as a result of the passage of the Bill the price of salt would increase in India. *Mr. Azhar Ali*, *Seth Abdullah Haroon* and *Mr. Gaya Prasad Singh* also spoke. *Mr. O'Sullivan* said that the industry should be given adequate protection and not kept under suspense with continual risk of protection being removed. When the Bill comes before them next year they should give protection at least for three years. Karachi had already invested 25 lakhs in the development of the salt industry. Aden manufacturers seemed to form a ring to control prices. However, if Aden became separate from India then her exports from India should be treated as foreign imports.

The House agreed to take the bill into consideration.

Mr. *G. Morgan* moved that Liverpool be permitted to import free of additional customs duty salt not exceeding 50,000 tons a year. He reminded the House that the Finance Member stated last year that if it was proved that the Liverpool salt was entirely a special article which did not compete with Indian salt then the case for reducing the duty thereon would be considered in the interest of the consumer.

Mr. *Morgan* said that Liverpool salt had been replaced by German salt from Hamburg to the extent of 50,000 tons annually. The House has agreed to the policy of India for Britain and Britain for India and that the two countries must stand together.

Mr. *Mahapatra* opposed the amendment and pleaded for Orissa salt.

Sir *George Schuster* said that an isolated proposition of this kind was inadmissible at the time when they were thinking of entering into definite trade relationship with the United Kingdom. If the British authorities thought that manufactures of salt should have preferential treatment, that could be considered as a part of the general discussion into which a number of questions would arise. He must therefore oppose the amendment. He added that quite apart from the previous arguments he as at present advised thought that Mr. *Morgan* had not established a case even on merits.

Mr. *Morgan's* amendment was rejected.

Mr. *G. Morgan* made another attempt to lower the duty on Liverpool salt by half. Mr. *B. V. Jadhav* opposed as the reduction would affect the salt industry of Kathiawar and Sind. Sir *George Schuster* also opposed on this ground. The amendment was rejected.

Mr. *O'Sullivan* moved for retaining the old duty of Rs. 54-12 by lowering it to Rs. 50. He said that the indigenous industry would be hit. Mr. *Maswood Ahmed* pointed out that the prices of salt were as low as Rs. 36 per hundred maunds and even the proposed duty of Rs. 50 was too much. Sir *George Schuster* opined that the duty of Rs. 50 was more in consonance with the prevailing prices. The amendment was rejected and the Salt Bill was passed. The House then adjourned.

THE SUGAR BILL

29th. MARCH :—Sir *George Schuster* moved for reference of the Sugar Bill to a select committee, consisting of Diwan Bahadur Ramaswami Mudaliar, Mr. S. C. Mitra, Mr. Azahar Ali, Abdoola Haroon, Lala Hari Raj Swarup, Mr. Jagannath Aggarwal, Mr. Bhupat Singh, Lala Rameswar Prasad Bagla, Mr. R. S. Sarma, Mr. B. Das, Bhai Paramanand, Mr. C. S. Ranga Iyer, Mr. F. E. James, Mr. *Morgan*, Major Nawab Malik Talib Mehdi Khan, Sardar Nihal Singh, Shah Nawaz Khan, Mr. G. S. Bajpai, Mr. Hardy and the mover.

Sir *George Schuster* referred to what he called a misleading campaign and propaganda by interested parties since the measure was announced. He answered the charges of breach of faith saying that what they proposed was exactly what the Tariff Board recommended and the allegations of low prices of sugar shares and giving a blow to the industry, were absolutely contrary to facts. He quoted figures showing that shares of some companies worth two rupees rose to Rs. 164 and Rs. 186 since the Budget estimates were revealed.

Mr. *Maswood Ahmed* moved an amendment that the Bill be circulated for eliciting opinion thereon by August 1, 1934. The mover observed that there was no need for hurrying the measure as the Government would gain nothing thereby. He asserted that if Sugar factories were making huge profits, that could effectively be stopped by lowering the import duty, instead of putting an excise duty. He urged that even the factories manufacturing sugar by the open pan process be exempted from the excise duty. The House then adjourned till the 2nd. April.

2nd. APRIL :—After three days' Easter recess, the Assembly resumed discussion to-day on the Sugar Bill, which had been proposed to be referred to a Select committee. Lala *Hari Raj Swarup* moved an amendment to the recommendation of the Select Committee on the Sugar Bill, seeking to circulate the Bill for eliciting public opinion by the 31st of July next. He stressed on the importance of carefully studying the situation inasmuch as 15 crores of rupees were invested in this industry. Continuing, Mr. *Hariraj Swarup* declared that the Bill was definitely prejudicial to the interests of the cane-growers, manufacturers and consumers.

Bhai Paramanand asked the Finance Member to imagine himself in the position of the manufacturer and then he would realise the incorrectness of his logic. He apprehended that the Bill if passed in its present form would result in the manufacturers cutting down the wages of labourers, which in its turn would result in enormous hardship and unwanted complications. The story, *Bhai Paramanand* added, of sugar factories making enormous profits would appear misleading when large sums of money sunk in the industry were considered.

Dr. Ziauddin Ahmed was considerably heckled when he rose to support the Bill. He asserted that insistent propaganda had been going on against the proposed duty without any reason whatsoever in their support, and the charge that the legislature was going back on its commitment of affording protection if excise duty on sugar was imposed was unfounded. The Tariff Board recommended protection of Rs. 7-4 per cwt. which the manufacturers would be getting even now, as over and above the protection an all-round duty of Re. 1-5 has been proposed in the bill to be imposed on imported and manufactured sugar.

Dewan Bahadur Ramaswami Mudaliar observed that even assuming that certain factories were abusing the privileges offered under protection and they were making fabulous profits, he ventured to think that a great deal has to be said in favour of the industry. Even taking for granted that the industry had been fairly established, the excise duty, at the present moment, if though not wholly bad, is definitely premature. The Dewan Bahadur further added that the Indian manufacturers will be at a distinct disadvantage if similar excise duty could not be levied in the States, and if the States agree to such excise duty they would refuse to make this a source of Federal revenue if when and if at all the federation comes into being.

3rd. APRIL :—*Sir Abdur Rahim* observed that the sugar factory-owners should not demand high profits. He did not find himself in agreement with the suggestion of Dewan Bahadur Ramaswami Mudaliar that the new factories should be exempted from any duty for one year so that they might get an opportunity of establishing themselves.

Mr. Jagannath Aggarwal took the memory of the House to a few years back when in 1919 after the Great War the Government of India considered it necessary that in the matter of sugar India should be self-sufficient instead of depending on foreign supply and appointed a sugar committee. Continuing, *Mr. Aggarwal* made a strong plea against the imposition of the excise duty on the infant industry and observed that it would amount to infanticide.

Rai Bahadur Lala Brijkishore and Messrs. *S. C. Sen* and *Ramkrishna Reddi* made some observations on the principles of the Bill.

Replying, *Sir George Schuster* refuted all charges that the Government were going back on their protection policy. The Tariff Board had recommended a protection of Rs. 7-12-0 and the merging of that basic protection would continue even under the present excise duty. He held that taking the cost of production, the average selling price and other things into consideration the factories would have a profit of 10 p. c.

Mr. Maswood Ahmed's circulation motion was defeated and the Bill was referred to a Select Committee with instructions to report within seven days.

THE MATCH EXCISE DUTY BILL

Sir George Schuster then moved that the Match Excise Duty Bill be referred to a Select Committee, consisting of *Sir Cowasji Jehangir*, *Sir Darcy Lindsay*, *Sir Leslie Hudson*, Messrs *Rahimtoola Chinoy*, *S. C. Mitra*, *B. V. Jadhav*, *Sitakanta Mahapatra*, *Sant Singh*, *R. S. Sarma*, *S. R. Pandit*, *Harbans Singh Brar*, *Mahomed Shah Nawaz*, *Anwarul Azim*, *Pandit S. C. Sen*, *Sir Frank Noyce* and the mover.

Mr. B. Das spoke on the principle of the Bill and asked for ensuring a similar duty on matches manufactured in the Indian States so that the British Indian manufacturers might not labour under a disadvantage. The House then adjourned.

4th. APRIL :—The question time being over, discussion on the Match Bill was resumed. *Mr. Jadhav* made a rapid survey of the taxation policy of the Government. He observed that during the East India Company's regime the policy was one of open exploitation. Thereafter it was one of free trade, and when England gave free trade the Government of India followed suit and took to protection policy. But whatever that policy might be, one object had been all through to raise more and more revenue regardless of its effect, adverse or otherwise, on the country.

Mr. *Sitarama Raju* said that there was no document before the House to show the precise condition of the industry at this time and it would not be fair to proceed with the imposition of an excise duty on the findings of Tariff Board compiled seven years back. He hoped that the duty would not be imposed on matches produced by cottage industry as recommended by the Tariff Board. Turning to the foreign factories in India, he complained that some of them did not even use the wood produced in this country.

Mr. *N. M. Joshi*, quoting the budget speech of the Finance Member, concluded that the object of the Bill was to give contributions to Bengal and other provinces.

Sir *George Schuster*, intervening, pointed out that the proceeds from the excise duty were not to be earmarked for any particular purpose, but would go to the general pool out of which Bengal would get assistance.

Mr. *Joshi* said that he wanted to emphasise that it was wrong policy for the Finance Member to say in his budget speech that the proceeds of a particular tax were necessary for a particular object. The Finance Member ought to have brought forward the proposal of assisting a province in a separate resolution. Mr. *Joshi's* difficulty was that if he voted against the excise duty, he was liable to be misunderstood to have voted against the assistance to Bengal.

The *President* ruled that the voting on the Bill would not mean a vote for contribution to Bengal.

Sir *George Schuster* said that contribution to Bengal had already been made by accepting the demand for grant.

Mr. *Joshi* said that all such matters should be left to the decision of a small committee in order to avoid inter-provincial jealousies. Finally, Mr. *Joshi* expressed the opinion that the duty was excessive and would fall on the consumer and would stand in the way of the States coming into the Federation.

Sir *Cowasjee Jehangir* accused Government of lack of sense of responsibility inasmuch as they had failed to collect the taxes already sanctioned by the legislature; and having failed to do that it did not look nice for the Government to come before this House three times in the present session and ask for sinews of war. A good deal of trade, said the speaker, was being diverted through the Indian States and he wanted a definite assurance that the Government would get their due share out of match excise duty collected in the States before the House could sanction any further taxation. He regretted that long before the Federation came into existence the Federal source of revenue was being tapped.

Replying, Sir *George Schuster* assured that Government were taking all possible steps to prevent the situation of the Bombay Port from becoming worse.

The motion to refer the Match Excise Duty Bill to a Select Committee was then carried.

The Princes' Protection Bill

Sir *Harry Haig* then moved for consideration of the Princes' Protection Bill as reported by the Select Committee. He referred to the amendments and changes made by the Committee to meet the legitimate criticisms that were offered on the floor of the House during the earlier stages of the Bill.

Sardar *Sant Singh*, opposing the Bill, asked how they were justified in extending protection not only to the person of the princes but to their administration without imposing a corresponding obligation on them for allowing their subjects the freedom of the Press and speech for ventilating their grievances. They could, however, protect the administration of the States when it was based on the rule of Law.

Sir *Brojendra Lal Mitter* : Rule of what Law ?

Sardar *Sant Singh* : I take the expression from section 124 of the Indian Penal Code.

Sir *Brojendra* : The British Indian law had been obtained from the British Parliamentary Statute.

Sir *Abdur Rahim* : Are there no other laws than Parliamentary statute ?

Sir *Brojendra* : I want to know what law Sardar *Sant Singh* wants in the States ?

Sardar *Sant Singh* : I maintain there is no law in the States.

Raja *Bahadur Krishnamachariar* : Every prince can make law without taking the trouble of going to the Legislative Assembly.

Sardar *Sant Singh* : That's a nice point. I accept that position. Then the Maharaja of Alwar can make laws to establish himself on the Throne,

Raja *Bahadur Krishnamachariar* : All right, but there is the Army (laughter).

Sardar Sant Singh : Raja Bahadur Krishnamachariar has given up his case. If there is a Law of Force, then there is no necessity of this Bill, for the leading of 'Jathas' can be prevented by force.

Raja Bahadur Krishnamachariar was considerably heckled when he rose to support the Bill. He observed that there were many well-administered States where there were peace and happiness.

Mr. B. Das : Can you take us there ?

Raja Bahadur Krishnamachariar : God help me. As soon as people like you go there, there will be such a commotion that I shall have to ask the Home Member to drive you out beyond the frontier (laughter). Continuing, he quoted the Political Secretary's speech where he stated that there were rulers who commanded a feeling of awe, reverence and affection from their subjects, which was an asset to be preserved.

Mr. Ghuznavi : Where are you reading from ? Is it "Arabian Nights" ? (Loud Laughter).

Bhai Paramanand argued that when the British Indian subjects were not treated properly in the States, why should they afford any protection to the Princes ?

Amidst pin-drop silence, *Sir Abdur Rahim* made a well-reasoned speech questioning the justification of enacting such a drastic legislation which sought to encroach upon the fundamental and ordinary rights of association and expression of opinion on public matters of citizens living under a civilised Government. Whatever the form of Government, whether Despotic, Autocratic, bureaucratic or democratic, the effect of clause (3) of the Bill relating to the Press will be a substitution of executive action for judicial procedure, which was unjustifiable under ordinary circumstances. Clause 5 of the Bill empowering the Magistrates to prevent associations etc, although purported to be based on section 144 of the Criminal Procedure Code, thought *Sir Abdur Rahim*, was very different from that section inasmuch as section 144 Cr. P. C. sought to secure peace only under a certain emergency by means of summary trial. He asserted that Clause 5 of the Bill was most obnoxious and required a close and serious examination as it involved a serious question of principle. *Sir Abdur* had not finished his speech when the House adjourned.

5th. APRIL :—Further consideration of the Princes' Protection Bill was resumed in the Assembly to-day. *Mr. B. V. Jadhav* narrated several grievances of States' subjects. Land revenue was the highest, though it was some satisfaction that in some of the States there was no income-tax. The most important reason for much of the trouble was the low salaries paid to public servants, with the result they were always discontented and serious corruption and bribery prevailed. In almost all the States no newspaper was allowed so that free expression and association were completely suppressed. He did not agree with Raja Bahadur Krishnamachari's definition of paramountcy. He was opposed to the Bill in its present form, because neither the Princes' Chamber nor any individual Prince had asked for protection. He, however, supported the prevention of Jathas. He would urge the Government to see that the States maintained a proper civil list.

Mr. K. C. Neogy examined Raja Bahadur Krishnamachari's assertion that the so-called paramountcy of the British Government over the States was only 'Zuberdaast', most of the rulers being 'sovereign' in as much as they were never conquered. *Mr. Neogy* held that the history of the States showed that the relationship of the bulk of the States with the British Government was that of subordinate co-operation. Continuing, *Mr. Neogy* pointed out that in the treaties with many of the States there were to be found expressions like loyalty, allegiance and definite written undertakings that the rulers would look after the welfare of their subjects. It was on this undertaking that the British Government extended their protection to them against foreign aggression and internal commotion. Besides, there are many States who have absolutely no written treaties and it was on political usages that they depended for their constitutional principle that while a 'de jure' monarch has the right of demanding obedience from his subjects, the subjects also possess the sacred right of insurrection and putting down the ruler if he becomes tyrant. But it is the Crown that gave protection to the States which stand in the way of the subjects if and when they are constitutionally justified in upsetting the throne of the States. Now that the Paramount power through its mouthpiece, the Government of India, has come to seek the help of this legislature for the proper discharge of their obligations, is this House not entitled to ask what the Government will do to

discharge their corresponding and equally solemn obligations to the States' people? Opposing clause 3 of the Bill, Mr. Neogy declared that the intended legislation would not stop black-mailing, as the scurrilous and undesirable propaganda that is generally carried on in certain section of the Press against the person of the rulers and their relations.

Mr. C. S. Ranga Iyer charged Mr. Neogy with insincerity and hypocrisy for saying that he would rather be ready to protect the person of the Princes than their administration. Mr. Ranga Iyer would not protect the person of the Princes until they were constitutionally responsible to their subjects' will. As the Federation was in sight, he would strongly support the measure which would go a long way in enlisting the Princes' sympathy for joining the Federation. The provisions relating to the Press in the Bill, however drastic to others, were welcome to him.

Sir Mahammad Yakub observed that the Princes committed a Himalayan blunder in expressing their desire for enactment of the present measure, as the bill provided opportunity to expose their administration.

At this stage closure motion was put and carried by 55 against 26 votes.

Sir Harry Haig, replying, said that the Bill was in part very definitely required in the interest of British India, as movement of Jathas stirred up feeling in British territory and obviously it was the interest of States as well that such a movement should not develop and be directed against their administration. When then was the significance of an enquiry whether the States had or had not made a formal request for legislation? If it could be shown that the States were opposed to the legislation it would be a different matter, but no member had suggested that. The Home Member endorsed Mr. Neogy's remarks that the members of the Select Committee did not approach the Bill in a spirit of hostility to the States. The provisions dealing with conspiracies and Jathas had been approved by speakers but objection had centred round the clause relating to the Press. Sir Abdur Rahim had put the case with moderation, but Sir Abdur's angle of vision was different from the speaker's. Probably it was due to different training. He, with an executive mind, believed in prevention, while Sir Abdur preferred, 'let the offence be committed and then punish it.' The official case was not that the measure was one of emergency. If it had been, it would have been included in the Ordinance Law. Such powers had existed as an ordinary law of the land for twelve years under the old Press Act. He did not, therefore, accept it as a valid criticism that they were introducing an emergency legislation at a time when the emergency was already passing away. The provision relating to the Press would have effect only till the temporary Press Emergency Act lasted. He was content to leave to the future Government to decide whether similar powers would be necessary in those days.

It had been suggested that clause five gave the District Magistrate powers too wide which he would not be able intelligently to exercise. He asked the House to remember in the first place that the clauses would come into operation only when extended by the Local Government to a district where there was existence of a serious dangerous movement, in which both the district and a neighbouring State were concerned. In these circumstances he would be a strange District Magistrate who was not closely acquainted with what was going on in his own district and across the border. The Magistrate would not in practice find it difficult to form conclusions which he was expected to form under the provisions of clause five. Finally, Sir Harry Haig said that it had been suggested that Conference of States' subjects would be prohibited. He commented: "I think that the suggestion could only be made by those who believe that the 'executive acts always in a most arbitrary manner and without regard to the provisions of law'".

Sir Harry Haig's motion to take the Select Committee report into consideration was passed without division. The House at this stage adjourned.

AGRICULTURAL INDEBTEDNESS

6th. APRIL :—The Assembly met to-day to discuss several *non-official resolutions*.

There being no questions, the House resumed discussion on the resolution moved by *Rai Bahadur Lala Brij Kishore* at the last session regarding the appointment of a committee of enquiry, consisting of officials, experts and members of the Assembly, to enquire into the causes of the present agricultural distress and to devise means for improving the condition of land-holders and peasants.

Mr. *Bhupat Singh* moved an amendment to the effect that the committee be a small one and the personnel be left to be decided by Government. He complained that committees had been appointed in the past to investigate various matters, but

their recommendations had been treated as sealed books and no action had been taken on them.

Mr. G. S. Bajpai, replying, laid before the House what the provincial and central governments were doing in meeting with the present distress which owed its origin to world depression. He pointed out that the provincial governments in the United Provinces, the Punjab and elsewhere remitted and suspended substantially the land revenue. As regards rural indebtedness, that was a vexed problem not easy of solution. Repudiation of debts had been suggested but that would lead to wholesale and successive expropriations and to no ultimate good. The Central Government had adopted a policy of discriminating protection by entering trade agreements to ensure foreign makers for agricultural produce. They were also trying to improve the quality of the produce and organise commercial statistics and regulate freights so that prosperity might accrue to the Agriculturists.

In view of this sympathetic reply, the resolution was withdrawn.

SEPARATE PROVINCE FOR MALABAR

Next Mr. Ranga Iyer moved a resolution recommending to the Governor-General in Council to constitute Malabar (Kerala-Madras Presidency) as a separate province together with the neighbouring Mala-ye-speaking areas. Mr. Ranga Iyer made a strong plea for the creation of a separate province with Malabar though its area was not big enough to justify that step. He argued that hereafter provinces would have to be created not on the basis of the extent of their area but on the basis of linguistic and financial importance. Though small in area, the speaker observed that Malabar could stand on its own legs.

Mr. Gaya Prosad Singh :—But without any subvention from the Central Government?

Mr. Ranga Iyer :—Yes, without any subvention. We will not pay Rs. 4,000 as salary to our Ministers. He chastised Mr. Thampan for opposing the proposal. The speaker gave it as his opinion that the people of Malabar would be in a better position under the Federation constitution if Malabar was separated.

Discussion had not concluded when the House adjourned.

THE PRINCES' PROTECTION BILL (CONTD.)

7th. APRIL :—Discussion on the Princes' Protection Bill clause by clause was resumed to-day. Sardar Sant Singh moved an amendment that clause 2 of the Bill relating to conspiracy against the administration of a State be omitted. The mover observed that the term "conspiracy" meant an agreement between two or more persons to overawe by criminal force or to show criminal force to any Government. But the administration of a State not being defined in the Penal Code, how this law could be administered?

Sir Brojendra Mitter, intervening, explained that the definitions embodied in the Indian Penal Code would not apply to this Bill as it did not seek to amend the Penal Code, but was a self-contained measure. There would not be, the Law Member observed, practical difficulty in administering the law under this Act as the meaning of the technical words would be attracted from legal dictionary.

Mr. B. Das, supporting Sardar Sant Singh's amendment, observed that in the light of the interpretation of the term "conspiracy" as given on the floor of the House, he feared that he might be prosecuted as a conspirator against the administration of a State.

Dewan Bahadur Ramaswami Mudaliar considered that there was considerable force in the objection raised by Sardar Sant Singh that practical difficulty would be created in the administering of the Law in the absence of any clear definition of the word "Administration of State".

After the Home Member had replied the amendment was put to vote and defeated.

Thereafter Sardar Sant Singh moved another amendment that clause 2 of the Bill be substituted by a new clause making "overt act" instead of "conspiracy" punishable if committed within British India only and that the maximum punishment be two years' imprisonment instead of seven years. Mr. B. V. Jadhav and Dewan Lalchand Navalrai supported the amendment. After the Home Member's reply the motion was similarly rejected. The House then adjourned till the 9th.

9th. APRIL :—The House commenced to-day the consideration of the Princes' Protection Bill as it emerged from the Select Committee. Mr. B. L. Patil moved an amendment urging deletion of the clause relating to the Press. He said that emergency

for muzzling the Press in this way existed only after the mutiny and the Bengal partition agitation and during civil disobedience. Since the burden of proving want of intention lay on the Press, no newspapers would run the risk of publishing even statements of facts and thus the only chance of ventilating the grievances of States' subjects would be removed. The Government contended that this provision was not new, but the speaker said that section 1 C of the Press Act of 1910 allowed comments not only against State Administrations, but also against the Princes.

The Raja of Kollengode, opposing, said that if this clause were omitted there was no use going on with the Bill, inasmuch as the greatest need of the moment was protection from the onslaughts of the Press, especially for Southern India States, which were well advanced. In South India some newspapers were distributed free among States' subjects.

Mr. *Muazzam Sahib* said that supervision of the Press was not only advantageous to States and to the early formation of the Federation, but was desirable in the interests of British Indian subjects. Mr. *B. Das* urged the Government not to take further powers and muzzle the Press. Insistence on a measure like this, even though it might be under the guise of protecting Indian States, would not be in accordance with the spirit in which Mr. Gandhi had called off civil disobedience. Incidentally, Mr. Das reiterated the view that the proceedings of the Select Committee should form part of the Assembly reports so that they might facilitate references.

Mr. *Ranga Iyer* urged retention of this clause as he believed that was the best way of ensuring the chances of a Federation with Indian States. If he himself had changed, it was solely because of that consideration. They should do everything to facilitate Indian States joining British India. Clause 3 would help to remove any suspicion which Indian Princes might entertain. References had been made to the "Riysat" case, which lasted for two years. He sympathised with the editor of the paper. If action was necessary under the Bill it should be straight after a clear warning to the editor concerned. The Bill, he said, was necessary in order to put down blackmailing in journalism and communal gutter Press.

Mr. *Ramaswami Mudaliar* said that the offence covered in the clause was already punishable under the Act of 1922 for 5 years. It was not a new offence. The only difference was that the present bill proposed now provided an executive trial and also proposed to forfeit the security of the Press. The speaker maintained that conditions were different in Indian States, where the ruler had the authority to ban the entry of newspapers, and the extent to which such a power was used could be seen by the fact that even a paper of the standing of the "Hindu" of Madras has been banned. The executive officials of the Government had given frank views which supported the opposition's criticism. The punishment of five years was greater deterrent to the editor than forfeiture of security of the Press, whereas from his experience in newspapers the speaker declared that often the proprietor and the editor were hauled up for publication of a correspondence which passed through hands of a sub-editor inadvertently. Further, the law would prevent the papers like the "Statesman" from ventilating the grievances of subjects, which the "Statesman" did in case of the Kashmere agitation. Recalling how the German Press continued vigorously to defend the German subjects in Poland, the speaker claimed that the Indian States could not be given a status of neighbours, having distinct nationality, but their subjects being of the same blood as the British Indian subjects, it was important that their grievances should be ventilated in British India. He supported the amendment for omission of the Press clause.

Mr. *N. M. Joshi* felt that this measure was likely to be used against the honest Press also. He asked why, if the gutter Press carried on a campaign of blackmailing, those princes encouraged it by bribery. Mr. *Joshi* continuing referred to what he called a very serious menace to the purity of public life in India. He recalled that for twenty-five years he was connected with the newspaper "Ghyan Prakash" and in the course of his duty he had to write something about the Indian States. A few days later he received a cheque. The Servants of India Society, to whom the newspaper belonged, returned the cheque with thanks. These temptations were another form of blackmail, by which the purity of newspaper as well as the public men of India were seriously endangered. An Auditor-General in India after his retirement was forbidden from accepting any appointment under the Crown, but a former Auditor-General in India has been engaged in an Indian State. He regretted that these allurements of jobs as legal or constitutional advisers were not confined merely to members of the Assembly, but also to ex-judges, retired executive Councillors, and others. He would like to have proper safeguards against this growing danger and inroads into public life. Referring to the Political Secretary's assertion that there were

two hundred newspapers in the Indian States, he asked how many were allowed free play in their spheres and allowed to write on political matters.

Sir *Cowasji Jehangir* feared that mere statements of facts about certain States, if related in the press accurately and even faithfully with the desire not to create hatred or contempt but with the desire to draw the attention of the administration to those facts in order that they might remedy, would come within the mischief of this clause. He emphasised that they were on the threshold of constitutional changes. They were prepared to make certain concessions to the Indian States, but there was a limit to the price which they were prepared to pay. British Indians demanded as a price of the goodwill that States should put their administrations on the same level with British India. He asked the House to think for a moment how they were treated by certain Indian States. They were not demanding from the States anything more than what justice and equity required. He wondered why this protection should be given, and why the Government was asking more than what they could give in this respect.

Sir *Harry Haig*, replying to the debate, said that some members had declared that there was no emergency requiring this legislation. He said he had never built the case on emergency plea. The Bill proposed to meet conditions which had existed for a long time and were provided for under the old Press Act of 1910, which not only gave protection to the person of the Princes but also their administrative Act. Justification for the proposed restriction was not only malicious writings weakening the authority of a State, but writings causing undesirable reactions in British India, particularly in the matter of communal feelings. The Home Member assured that they had no desire to penalize well conducted and honest papers. It had been recognised that whatever be the administration of States generally, there were some States with model administration, and it had been found necessary to protect such administration from attacks. As regards the argument that States could ban entry of any paper, Sir Harry Haig said that Indian India was not sheltered by a Chinese Wall. People in Indian India were exactly same as those in British India, divided by artificial boundaries, and added "thoughts leap over these boundaries very very easily and lies penetrate without difficulty". Sir Harry Haig held that it would be possible after this Bill was passed for the Press to ventilate legitimate grievances. He repudiated Mr. B. Das's suggestion that the Bill was aimed against the Congress. The Government did not attribute to the Congress instigation of such writings. The law would not affect well-conducted papers, but Government certainly desired to get at a class of papers which published malicious attacks. The publication of malicious criticism was certainly not the birth-right of well-conducted press.

Mr. *Patil's* amendment to delete the clause was put to vote and defeated by 31 to 60.

Mr. *Navalrai's* amendment seeking to omit word 'disaffection' from the ingredients forming sedition against the administration of a State was lost. The mover pointed out that 'disaffection' had been defined as want of affection and as the British Indians owed no allegiance to the princes how could they expect to show loyalty and affection towards them.

Mr. *S. C. Mitra* observed that now that the Government was following the new policy of running the administration of States by British agents they should make it clear whether they were demanding affection to States on that ground and whether they intended to carry their policy on a wider scale.

Sir *Harry Haig* stated that disaffection would have no application to the British Indians, but the States' subjects.

Sir *Brojen Mitter* explained and quoted authorities that disaffection did not mean want of affection, but a political feeling of alienation and discontent against the Government. He observed that words 'hatred' 'contempt' and 'disaffection' will apply only to subjects of the States.

Mr. *Gayaprasad Singh* asked : Supposing that a newspaper that wrote seditious articles against a State was banned in that State, would then prosecution be possible as it could not excite disaffection in the minds of the subjects of that State.

The motion, however, was defeated, after which the House adjourned.

10th. APRIL :—All amendments to clause 3 of the Princes' Protection Bill, relating to stricter control on the Press, were defeated in the Assembly to-day.

Maulana Shafi Daoodi supported the amendment moved by Diwan Lalchand Navalrai that in clause 3 relating to sedition against the administration of the State

the word "established by law" might be added after the words "administration of the State". Maulvi Daoodi pleaded that unless there was a definite enunciation of the administration of the State the punishment proposed in the Bill for sedition against the States would be unjustifiable.

Sir B. L. Mitter explained that the amendment would render the clause meaningless. No State was brought into existence by the operation of law so the phrase "administration of the State established by law" was absurd. Further, the expression "administration of the States established in India", as embodied in the Bill, meant the States recognised by the Paramount Power.

Sir Abdur Rahim was surprised by the explanation of the Law Member. He said history showed that most of the States, including the Government of India, were brought into existence, not by the process of law, but by force and usurpation. But did not the phrase "government established by law" occur in the Penal Code?

Sir B. L. Mitter: The Government of India and Local Governments are established by the parliamentary Statute.

Sir Abdur Rahim: Are there no other laws except Parliamentary Statute? Is there not common law or customary law? Take the law of England. It is based mostly on common law.

The Law Member stated that the administration of the States was recognised by the Paramount Power.

Sir Abdur: Does it mean that the States which have been existing even before the Paramount Power came have no status if they are not recognised by the British Government?

Sir C. Jehangir: Why not press for withdrawal of the Bill? I dispute the Law Member's explanation. I do not support the Bill.

Messrs. *Ranga Iyer* and *Yamin Khan* opposed the amendment, nor could *Diwan Bahadur Harbilas Sarda* support it. Replying, *Sir Harry Haig* observed that the amendment, from whichever point of view it could be approached, was either mischievous or superfluous. The motion was negatived.

A good deal of controversy arose when *Mr. Jadhav* moved an amendment to explanation to clause 3, exempting statement of facts if made without malicious intention and without any attempt to excite hatred, contempt or disaffection from penalty, that the statements of facts without malicious intention (omitting the words attempt to excite hatred, contempt or disaffection) might not come under the mischief of the clause.

Sir Cowasjee Jehangir, *Dewan Bahadar Mudaliar* and *Sir Abdur Rahim*, supporting the amendment emphasised that the conditions in the States were such that mere narration of facts about the administration was bound to excite hatred, contempt etc. So, however honest the purpose the press might have, they would be penalised for the publication of a more bonafide statement of those. *Mr. S. C. Sen* observed that this clause would gag truth. *Mr. S. C. Mitra* and *Sardar Harbans Singh Brar* supported the amendment which, however, was defeated by 49 to 27 votes.

Dewan Lalchand Navalrai then moved an amendment to clause 4 dealing with the prevention of "Jathas". The amendment sought to make the clause more definite and precise in meaning and to narrow its scope. The amendment was rejected.

Thereafter the same member moved for omission of clause 5 which gave very wide powers to the magistrates and was analogous to Section 144 for preventing a person from doing certain acts which a Magistrate considered would obstruct the administration of a State.

Dewan Bahadur Mudaliar and *Sir Abdur Rahim* took strong objection to the clause as they thought it would stifle even the legitimate expression of opinion or action criticising a State. They emphasised that clause 5 was very different and more wide and more drastic in nature than Section 144.

The amendment was then put to vote and was lost by 53 against 31 votes. After clauses 5 and 6 were passed the House adjourned.

11th. APRIL:—*Mr. Joshi* moved an amendment for adding a provision that protection given under the bill would not extend to the States which were not declared by the Governor-General-in-Council to possess properly constituted and representative legislature. *Mr. Joshi* observed that if there had been legislature in the States and if the subjects of the States enjoyed constitutional rights of ventilating their grievances, there would be no agitation in British India against the Princes. The Press will be gagged against bringing the States into contempt. But was not the

preservation of the right of the British and the European subjects not to be tried in any court in an Indian State, he asked, a standing contempt of the administration of the States?

Messrs. *Azhar Ali* and *Shafi Daoodi* supported the amendment. Mr. *Bhupat Singh* pointed out that there were many temples in the Indian States and often the rulers of those States interfered in the cases of "dispute over the funds of those temples. Unless there was a guarantee against the dissipation of the funds or there was room for agitation against that, no protection should be extended to them. After the *Home Member* had replied, the motion was negatived. Mr. *K. C. Neogy* moved for the insertion of a new clause to the effect that no Court shall take cognisance of any offence under section 2 of the Bill unless upon a complaint made by the order of or under authority from the Governor-General-in-Council or the Local Government. Sir *Harry Haig* having accepted the proposed insertion on behalf of the Government, the amendment was passed. *Raja Bahadur Krishnamachariar* by an amendment sought to delete the words "under the suzerainty of His Majesty" relating to the States in the preamble of the Bill. Sir *B. L. Mitter* replied that the phrase was not a new one. The *President* observed that by this phrase no right was established on behalf of the Crown nor any constitutional right of the States taken away. After Sir *Hari Singh Gour* and Messrs. *Sitakanta Mahapatra* and *Anwarul Azim* had spoken, *Raja Bahadur Krishnamachariar's* amendment was lost.

THIRD READING

After the second reading, the Bill was passed on for the third reading. Mr. *Ramkrishna Reddi* and Mr. *H. P. Mody* made speeches opposing the Bill. Mr. *Mody* characterised the provision regarding Press as an outrageous piece of legislation asked by the Government to abolish all judicial procedure in British India to substitute executive action. Mr. *Sitaram Raju* observed that geographically, economically and culturally India and British India were one unit. It was their desire that politically they should also be one but legislation of this kind prevented that. Mr. *S. C. Mitra* was opposed to every clause and the principle of the bill. Sir *Abdur Rahim* voiced a strong opposition. After Sir *Harry Haig's* reply the motion for passage of the bill was carried by 57 to 28 votes. The House then adjourned.

COTTON TEXTILE PROTECTION BILL

12th. APRIL :—The Assembly met to-day for consideration of the Cotton Textile Protection Bill as amended by the Select Committee. In moving for consideration of the Bill Sir *Joseph Bore* preferred to reserve his detailed speech for later stage.

Mr. *N. N. Anklesaria*, in moving an amendment to the Bill that it be circulated for eliciting public opinion thereon by June 30, next attacked the Government as having been dominated by Bombay millowners to the neglect of the agriculturists. Mr. *Anklesaria* denounced the Indo-Japanese agreement and the Mody-Lees Pact, as none of which, he said, provided an outlet for Indian cotton to the extent they should have done. He dubbed the Fiscal Commission report as Bombay mill-owners' report.

Dr. *Ziauddin Ahmed* made a long speech dealing with the Indo-Japanese agreement of quota system. He asserted that the best interests of the agriculturists and the consumers were not protected and complained that the textile industry was more and more hankering after protection and nobody knew when the protection would come to an end. He expressed his dissatisfaction that enough material and time had not been given to the Select Committee to all the provisions.

Sardar *Harbans Singh Brar* stressed that the interests of the agriculturists should have been better safeguarded.

Mr. *A. H. Ghuznavi* declared that any measure circulated to hit the masses and the agriculturists would be opposed by him. He criticised the Commerce Member for substituting the specific duty of Rs. 1-8 per dozen of hosiery by As. 9 per lb. and subsequently raising the duty from As. 9 to As. 12 in the Select Committee. He asserted that the Indian industrialists were inefficient and could not compete with Japan. Why should then the poor consumers be deprived of the advantage of cheap price?

Mr. *S. C. Mitra*, while supporting the Bill, wanted definite information as to whether the hand-loom depended more on imported cotton yarns or on the Indian mill-made yarns. If they relied on imported yarns, the duty on the imported article should be lowered. He supported the duty on artificial silk.

After Sir *Joseph Bhore's* reply, the motion for circulation of the Bill was defeated by 51 votes and the motion for taking the Bill into consideration was carried.

Dr. *Ziauddin Ahmed* moved an amendment that 15 per cent. ad valorem duty on imported starch and farina be removed so that the cost of production of the textiles might be lowered.

Sir *Joseph Bhore*, opposing the amendment, said that if the duty be removed, the agriculturists would stand to lose. The motion was negatived.

Dr. *Ziauddin Ahmed* moved another amendment, seeking to omit the specific duty of 1 and one-fourth annas per pound on imported British cotton yarns of counts 50 and below. He argued that if the high duty be retained the hand-loom industry which relied on imported yarns would be put to hardship.

Mr. *Maswood Ahmed* and Mr. *A. H. Ghuznavi* supported, while Mr. *G. Morgan* opposed the amendment. The amendment was lost.

Dr. *Ziauddin Ahmed's* next amendment urging omission of 1-7/8 annas specific duty on non-British cotton yarns also shared the same fate. All other efforts of Mr. *A. H. Ghuznavi* and Dr. *Ziauddin Ahmed* to lower, either specific or ad valorem, or both kinds of duties on imported cotton fabrics, grey or otherwise, of British or non-British manufacture proved similarly infructuous.

Another amendment of Dr. *Ziauddin* for lowering the ad valorem duty from 50 to 40 per cent and the specific duty of 4 annas per square yard to 3 annas on fabrics containing more than 80 per cent. of artificial silk of non-British manufacture was rejected after which the House adjourned till the 14th.

14th. APRIL :—The interpellations over, Mr. *A. H. Ghuznavi* rose on a point of personal explanation and drew the attention of the Chair to the report of the proceedings issued by the "Associated Press" and published in yesterday's papers giving a wrong impression of the incident which took place on the floor of the House on April 12 last when Mr. *Ghuznavi* speaking on the Cotton Textile Protection Bill inadvertently passed a remark that hosiery manufacturers went to Sir *Joseph Bhore's* house and persuaded him to raise the duty on imported hosiery articles, which Mr. *Ghuznavi* at once withdrew and apologised for what he said. Mr. *Ghuznavi* said : "In the course of my speech on the spur of the moment, I passed certain remarks which I ought not to have done. Such insinuation against the Commerce Member was far from my mind and immediately thereafter I not only made ample amends by apologising and explaining what I meant to say, but on my own initiative I requested the President to have the remarks expunged from the minutes of the proceedings, whereupon the Chair directed to have that expunged from the report in question as it was mischievous in as much as it frustrated the purpose."

The remark being expunged, the *President* observed that it was the first occasion when part of a speech was ordered to be expunged. He further said that in case certain thing was expunged it was eminently desirable that the Press should not report that.

COTTON TEXTILE PROTECTION BILL (CONTD.)

The House then proceeded with consideration of the amendments to the Cotton Textile Bill. The House accepted Sir *Cawasji Jehangir's* amendment which imposes 50 per cent plus one rupee per pound on 'ponjee', fifty per cent plus Rs. 1-8 per pound on 'fuji', 'boseki' and corded and fifty per cent plus Rs. 2 per pound on other sorts of fabrics containing more than ninety per cent silk including such fabrics embroidered with artificial silk. Other amendments were rejected.

When coming to the amendments to the item dealing with hosiery, Dr. *Ziauddin Ahmed* raised a point of order that according to Standing Orders 32, a previous decision on a particular point arrived at the same session could not be reopened. He contended that when the first Tariff Bill was passed by the House at this session it gave its verdict on import duty on hosiery and any amendment to that item would be out of order.

The *Leader of the House* pointed out that the schedules of the two bills were substantially changed and items could not be considered piecemeal.

The *President* having ruled that the schedule was quite in order, lengthy discussion followed on Mr. *Ghuznavi's* amendment on the hosiery item by which he wanted to reduce the duty on cotton undervests, knitted or woven from 12 As. per pound to Re. 1-8 per dozen and the duty on cotton stocks, or stockings to

8 annas per dozen of pairs which was the original rate decided in the previous tariff bill already passed at this session.

He was supported by Sir *Abdur Rahim*, Mr. *Maswood Ahmad* and Dr. *Ziauddin Ahmad*. The amendment was lost by 15 to 54 votes.

Mr. *Maswood Ahmad's* several amendments seeking reduction of duty fared the same fate. The House then adjourned till the 16th.

16th. APRIL :—After question hour in the Assembly to-day, when the discussion on levy of duties on hosiery goods was resumed, Mr. *A. H. Ghuznavi* made a strong plea on behalf of the consumers while moving an amendment seeking lower duty on lighter hosiery goods. The amendment was however lost.

Mr. *Maswood Ahmed's* amendment asking for lower duty on knitting fabrics also did not find favour with the House.

Mr. *Shafi Daoodi*, who was supported by Messrs. *Ghuznavi* and *S. C. Mitra*, in consideration of the fact that that particular article was not produced in India and that the poor masses should not be unnecessarily penalised, withdrew his amendment seeking inclusion of fleecy under-vests under textile manufactures, on the assurance of Sir *Joseph Bhore* that Government would make inquiries if that particular class of under-vests could be treated as a separated item in customs schedule.

The Mody-Lees and the Indo-Japanese pacts were again discussed when Dr. *Ziauddin Ahmed* moved an amendment for limiting the period of protection to three years instead of five as contemplated in the Bill. Dr. *Ziauddin's* reasons for advocating a shorter period were that within three years the trade position should be reviewed according to the conditions prevailing after expiry of the agreement.

Dewan Bahadur Ramaswami Mudaliar thought even five years were too short. Sir *Abdur Rahim* and Messrs. *Gaya Prasad Singh*, *S. C. Mitra* and *N. M. Joshi* thought that three years were quite sufficient and assured the industry that there was no reason for nervousness and it should have confidence in the peoples' representatives but there must be some limit to the consumers' sacrifice. After Sir *Joseph's* reply, Dr. *Ziauddin's* amendment was defeated by 43 against 19 votes.

Mr. *K. P. Thampan* moved an amendment waiting to insert the provision for laying certain conditions under which the industries would get protection. He also wanted that the factories producing the articles protected should obtain licenses for the purpose. The object of the amendment was to prevent Managing Directors and proprietors from drawing fat dividends at the cost of the industry.

Mr. *F. E. James* raised a point of order saying that the Bill was an amending Bill. So the condition sought to be laid out was out of order. Sir *Brojendra Mitter* observed if the Bill was looked upon as a measure for amending the Tariff Act, the motion would be out of order. But if it was taken as a protective measure it would be in order. Sir *Abdur Rahim* and Mr. *K. C. Neogy* held that the measure was a protective one as evident from the title and the preamble. The *President* ruled that the amendment was in order. Thereafter Mr. *Joshi* moved an amendment urging the protection of the labour employed in those factories.

Sir *Lancelot Graham* rose on a point of order saying that the protection of labour was a wide subject and outside the scope of the Bill. He also quoted the previous ruling on a similar occasion.

Mr. *Joshi* stated that the ruling quoted by Sir *Lancelot* was revised by the Chair just a little while ago. He wondered why Government should every time take objection to the labour being protected.

The *President* held Mr. *Joshi's* ruling in order.

Mr. *Joshi* complained that the Government and the industrialists had done nothing for the education of labour in factories.

Mr. *A. G. Clow* replying sympathised with Mr. *Joshi's* object, but opposed the motion. Mr. *B. Das* and Sir *Abdur Rahim* asserted that in the best interest of the country the protection afforded to the industry should have been fully utilised. Mr. *B. Sitaram Raju* wanted a revision of the Companies Act.

After Sir *Joseph Bhore's* reply, Mr. *K. Thampan's* amendment was put to the vote and lost by 57 against 30 votes. The second reading of the Bill being passed, the House then adjourned till 9-15 p. m., to take up the third reading.

The third reading of the Bill was opened by Mr. *Krishnamachariar* at 9-15 p. m. The speaker pleaded strongly on behalf of cotton growers and charged Bombay mill-owners for not looking after the interests of agriculturists and labourers. He also criticised the Government for neglecting cotton growers.

Mr. *Sitakant Mahapatra* opposed the Bill. He observed that the Government being in the fortunate position of deriving revenues from the protection policy, did not consider the 'pros and cons' of their tariff measures which are hitting the consumers hard.

Mr. *Mody*, representative of the Bombay Mill-Owners' Association, in a lengthy speech contended that the protection given was not enough and hoped that the House and the Government would be more sympathetic. The Government of India had been frightened from giving more protection, because of the clamour of those who posed as representatives of agriculturists and consumers. They all forgot the abnormal circumstances created by the Japanese competition as a result of which, what was considered sufficient a few years ago, was now hopelessly inadequate. The keenness of Japanese competition was illustrated by the fact that the woollen skirt (made in Japan) was sold in London at six pence whereas the British manufacture of the same article (and Britain was the home of efficient and up-to-date woollen industry) was four shillings and eleven pence. Really, there was economic war with Japan and so the House should not grudge any further measure of protection which the Indian Mill industry needed, especially when it was remembered that sugar got 150 per cent protection and other agricultural interests obtained even higher protection.

If you want industrialisation in India protection is needed. We cannot help it, especially when there is such a serious competitor as Japan. Japanese industries have at their back their Government. Here our Government are frightened by those who pose as leaders of agriculturists and Labour. And this much despised mill industry has its great contribution in national economy. This could be best illustrated by figures for 1932 which was the year in which the industry lost much more than one crore of rupees. No less than 6 crores were spent as payments to labour, 50 lakhs on staff and 18 lakhs as dividends and managing agents received 8 and three-fourth lakhs and 7 and a half lakhs were surrendered. Mr. Joshi had referred to the housing of labourers. Was there any other centre of industry (except perhaps Jamshedpur) which had provided housing for labour? As for the managing agency system, he agreed it was not perfect and therefore welcomed Government's proposal for revision of the Companies Act. As for labour itself, Mr. Mody wished Mr. Joshi (nominated representative of Labour) had kept himself in closer touch with the conditions in Bombay. In regard to rationalisation of Labour, a committee was appointed and it produced recommendations, all of which the industry itself accepted. But labour unceremoniously rejected them.

Mr. Mody, proceeding, referred to the conditions in Japan and said that Labour there was efficient, while Indian labour was not. Mr. Mody also complained that Japan was sending her exports to Kutch and Kathiawar Ports and thereby the present quota, in so far as it was meant for British Indian Ports, might be nullified and the Indian Industry might be placed at the mercy of Japan.

Mr. *Ranga Aiyar* said that Bombay Millowners were like frogs in a well, almost eaten up by their internal inefficiency and if they were to say they could carry on only with protection, then he feared there would be a revulsion of feeling in the country. Even after so many years of spoon-feeding, if the industry was to remain nothing more than a white elephant, he would say: "Down with the Bombay Millowners." Personally he did not like huge mills. He would rather prefer small factories spread all over the country to enable the villager to earn something at a time when he had no employment. India had vast resources which if developed, would make India a marvel in the industrial world. He urged on the Government industrial replanning on economic lines. Mr. Ranga Iyer did not like the attitude of the millowners towards hand-loomers, when they tried to cripple at every opportunity. He warned the millowners that they would have to reckon with the agriculturist and in days to come, they should so organise themselves as to meet competition from Japan and Britain on the same level.

Sir *Abdur Rahim* said that Mr. Mody had accused the Assembly for being hostile to the textile industry. The speaker challenged that statement pointing out it was the Assembly that had all along agreed to give protection. Mr. Mody had given figures to show the industry's contribution to national economy, but what about contribution of the public to the industry? The House was being asked to support the industry without any suggestion as to what the industry would do to improve efficiency. Until and unless such indication was given, he must oppose the Bill.

Mr. *K. C. Neogy* said that, while agreeing to protection, they did not stand committed to the principle of Imperial Preference introduced in the Bill. This preference would undoubtedly hit the Indian industry eventually, as had been made clear by the Tariff Board, who pointed to the effectiveness of competition by the United Kingdom. The Indo-Japanese and Indo-Lancashire agreements had drawn up three trade divisions, namely the Indian Producer, the Japanese Producer and the Lancashire Producer, shutting out other foreign countries. This would result in serious danger to the economic life of the country and make India's position in foreign markets hopeless.

Closure was applied and replying to the debate Sir *Joseph Bhore* claimed that the Bill will hold the balance fairly between conflicting interests. He was glad that there was a wholesome tendency with regard to the demands for protection with a critical eye. But they must not forget that the interests of agriculture and industry were inextricably mixed up with those of Labour. Nor should the House ignore the fact that a very large percentage of cotton cloth consumed in India came from Indian mills. Anything done to affect the industry would, therefore, recoil on Indian Labour. Similarly, in the case of the hosiery industry, to which also protection was given, they had been giving help to the small man, the cottage worker. Sir *Joseph Bhore* affirmed without fear of contradiction that they had helped the cottage worker. Referring to Mr. *Raju's* speech, Sir *Joseph Bhore* said that the machinery was set already in motion on the question of revision of the Companies Act. The Commerce Member hoped that, as a result of the forthcoming investigation, there would emerge legislation of importance to India. Regarding cotton yarn and artificial silk piecegoods and raw silk, Sir *Joseph Bhore* stated that if the duties proposed failed to achieve the object Government would have to reconsider the position. (Hear, hear.) Sir *Joseph Bhore* further stated that the Mody-Lees Agreement did not in any way exercise influence on the Indo-Japanese conversations. As for raw silk Government proposed to watch the course of the price and Sir *Joseph Bhore* added, "We shall not be justified in allowing the protection given to this industry to be defeated by still further serious lowering of prices. But the master key to permanent improvement of this industry lies in the research. Government is considering how to improve research and if Government find further research necessary I am sure we shall have the support of the Assembly." Concluding Sir *Joseph Bhore* said that economic conditions all the world over were far too disturbed to enable prophecy with any degree of confidence that the Bill would definitely result in advantage to India. But historic circumstances in which they were able to carry on friendly negotiations they had placed the interests of India first and they would pursue those interests to the best of their ability.

The Bill as amended was passed by 44 against 19 votes. The House then adjourned.

TRADE DISPUTES ACT

17th. APRIL :—After question hour, Sir *Frank Noyce* moved for consideration of the bill to extend the operation of the Trade Disputes Act of 1929, the object being to make the Act permanent which would otherwise expire on May 7. The statement of objects and reasons of the Bill said that local Governments and the bulk of non-official opinions favoured converting this Act into a permanent measure.

Mr. *Abdul Matin Chowdhury* opposed the Bill and referred to the agitation and opposition of the Trade Unions all over the country when the Bill was passed temporarily five years ago. Mr. *Choudhury* opined that because of many imperfections of the Bill prejudicial to the interests of labour, the more reasonable and logical course on the part of the Government would have been to amend the Bill, first, according to the requirements of the present situations, and then give it a seal of permanency.

Mr. *Mody* found it difficult to support the Bill. He observed that when amendments to the existing Act were to come up within a few months, it was desirable that the measure should not be made permanent before the House know what those amendments were.

Mr. *N. M. Joshi* asserted that the Bill failed to safeguard the interests of labour in all matters. He compared the Act with the English Act and showed that the Indian Act was much more stringent than the other. The penal provisions, he maintained, went against the labour.

The consideration motion was, however, passed there being no amendments. The third reading of the Bill was passed without any opposition.

Sir George Schuster then moved consideration of the Sugar Excise Duty Bill. He said that the Government could not afford to lose fifty lakhs and yet maintain the financial plan of relief to the provinces. The Government would, therefore, move restoration of the duty to 1-5 per cwt., while it might be that they might get more from the sugar duty than was estimated. They might make less on the other heads. The Government had already done a great deal through the Imperial Council of Agricultural Research to promote the development of industry and give technical assistance and promote research and he announced that the scheme for setting up an Imperial Sugar Research Institute was being examined. It was hoped to take over the Harcourt Butler Institute at Cawnpore to bring the scheme to fruition. They would also collect statistics of Khandsari factories. He assured the House that the Government fully recognised their responsibility as regards agricultural and industrial sides of sugar business and would be able to give effect within a short period to the larger scheme of Sugar Research Institute.

Mr. *Ramkrishna Reddi* asserted that 'Khandsari' industry would be hard hit by the levy of this duty. Mr. *Ranga Iyer* considered that even the duty of ten annas on 'Khandsari' sugar was not justified. Mr. *Maswood Ahmed* stressed that the 'Khandsari' industry which was pursued by the agriculturists ought to be exempted from any excise duty. *Lala Hariraj Swaroop* explained that 'Khandsari' industry which is run as a cottage industry would not be affected. *Dewan Bahadur Ramaswami Mudaliar* opposed the excise duty on sugar.

After Mr. *B. Das* had spoken the closure motion was put to vote but it was rejected.

Dr. *Ziauddin Ahmed* contended that the Tariff Board's recommendation had been given effect to in the bill, so he was at a loss to understand why should there be any opposition. *Bhai Paramanand* wanted to lower the scale of the duty to be levied. After *Sir George Schuster* had replied to the debate the consideration motion was passed. There being no amendments to clause 2 it was adopted.

Mr. *James* moved an amendment to clause 3 that the duty might come into operation from August 1 next instead of from April 1. *Seth Abdoolah Haroon* moved an amendment recommending that the duty be collected from May 1. Messrs. *S. C. Mitra*, *Jagannath Aggarwal* and *Maswood Ahmed* supported the motion. The amendment of Mr. *James* was lost by 51 against 34 votes. Mr. *Haroon's* motion was also defeated. The House then adjourned.

18th. APRIL :—By 49 votes to 21, Mr. *Hardy's* amendment restoring the excise duty of Rs. 1-5 was carried and the Assembly thereafter passed the Sugar Excise Duty Bill.

When the consideration of the Bill was resumed, Mr. *Ramkrishna Reddi* moved an amendment that the surcharge on the Sugar duty might be merged in the import duty.

Mr. *Jagannath Aggarwal* wholeheartedly supported the motion. He observed the Sugar Industry which was now enjoying protection to the extent of Rs. 9-1 per hundred weight including the surcharge found it difficult to compete with Java Sugar. The amendment was lost.

Mr. *Reddi's* next amendment exempting the factories started and worked during 1933-34 from the proposed duty shared the same fate.

Seth Abdoolah Haroon's amendment, seeking to exempt the factories for the first two seasons of their establishment and the Bihar factories affected by the earthquake till August 1, 1934 from the duties, was also negatived.

Mr. *Ramkrishna Reddi* moved another amendment seeking to provide that Keshapadsari Sugar also like Paimyra Sugar might be left untaxed pending an enquiry to decide whether it should be taxed and, if so, what should be the amount of the Excise duty.

Dr. *Ziauddin Ahmed*, Mr. *Ranga Iyer* and Mr. *Maswood Ahmed* made strong pleas on behalf of the Khandsari Industry which they stressed was an agricultural and cottage industry and should get all the sympathy and help of the Government.

Sir George Schuster, interrupting Mr. *Maswood Ahmed*, said that agricultural industry run on a cottage scale employing not more than 20 people would not be subjected to the Excise duty.

Mr. *S. C. Mitra* observed that the Khandsari industry was neither a cottage industry nor did it benefit the agriculturists directly. Of the total production of Sugar 30 per cent. were produced by Khandsar and if it was relieved of duties it would compete with the factories adversely because Khandsari produced on small

scale using manual or animal labour would not come under the operation of the Act.

The amendment was, however, defeated.

Mr. *Ramkrishna Reddi's* next amendment urging the reduction of duty on Khandsari Sugar from 0-10-0 to 0-1-0 annas was also lost by 48 against 22 votes.

Other amendments attempting to lower the duty were negatived.

Mr. *Hardy* then moved that the duty on Factory Sugar be Rs. 1-5 instead of Re. 1 per Cwt. as provided in the original Bill.

Prolonged discussion then took place on Mr. *Hardy's* amendment, Messrs. *Aggarwal*, *Neogy*, *Satyen Mitra*, *Patil*, *Bhai Parmanand*, *Mudaliar* and *B. Das*, all made speeches strongly opposing the motion. They contended that the Government would receive the revenue of 1 crore and 47 lakhs which they had estimated from Excise duty even at the lower rate of duty of Re. 1 per hundred-weight.

The motion was carried by 49 to 21 votes.

All other amendments being disposed of the second reading of the Bill was passed.

The third reading of the Bill was passed without voting at 7-30 in the evening. *Lala Hariraj Swarup*, Messrs. *N. R. Gunjal*, *S. G. Jog*, *Dr. Ziauddin Ahmed*, *Mr. Ranga Iyer* and *Mr. Abdulla Haroon*, all made speeches urging the Government to observe carefully the results of the observation of the Act, so that Sugar Industry which had been making rapid progress, might not be hampered unnecessarily.

Sir George Schuster, replying, assured the House that the Government desired to treat the industry most fairly. They would carefully watch how the measure works. He also stated that the Government proposed to start a Central Sugar Research Institute which should prove of great use to the development of the industry. The House then adjourned.

THE SUGARCANE BILL

19th. APRIL :—The Assembly met to-day in order to dispose of the bill to regulate the price of sugarcane intended for use in sugar factories.

Mr. *G. S. Bajpai* moved that the Sugarcane Bill be taken into consideration. He narrated how it was complained at the Conference of Ministers that some sugar factories were paying unfair prices to sugarcane growers, and it was generally agreed that the Government of India should deal with the problem with the imposition of an excise duty on sugar. The problem had become doubly urgent and was being tackled by the Bill. He then described the provisions of the Bill and said that there should be no objection to the Bill from those sugar factories which paid a fair price for Sugarcane, but these factories which paid an unfair price did not deserve the sympathy of the House.

Sir Leslie Hudson, while according his support to the principle of the Bill, pointed out that there were certain practical difficulties which lay on the way of the application of the provisions of the Bill.

Mr. *Maswood Ahmed* suggested that the prices of Rub 'gur' which was used by the Khandsari industry should also be fixed by legislation.

Mr. *B. V. Jadhav* held that there should be co-operative societies for selling sugarcane with direct dealings with the factories.

Sir Abdur Rahim was glad that Government had at last brought forward this measure which involved a very important principle calculating to raise the price level of agricultural commodities. He thought that this would conduce to the economic development of the country. He hoped the Government would extend the principle of this Bill to other directions so that primary producers could no longer be exploited by middlemen. He asked the Government to watch how the Provincial Government carried the provisions of the measure.

The second reading being passed, Mr. *Maswood Ahmed* moved an amendment that the prices of cane to be fixed by local Government should be subject to the control of the Governor-General-in-Council. The amendment was accepted.

After some more amendments were disposed of the second reading of the Bill was passed.

Maulvi *Shafi Daoodi* then moved several amendments seeking to provide that the minimum price of sugarcane to be fixed by legislation should be eliminated.

The amendments were, however, withdrawn.

Mr. *G. Morgan's* amendments urging that the factories should be left free to purchase sugarcane at prices settled between them and the growers outside the controlled areas and extending the period of notice after which the Act should come into force to one month were carried.

Mr. *Maswood Ahmed's* amendment providing that the local Governments shall make rules for giving effect to the Act with the sanction of the Governor-General-in-Council was defeated by 25 against 18 votes, the Government members remaining neutral.

After Messrs. *Azhar Ali*, *N. R. Gunjal*, *N. Anklesaria*, *B. Das*, *Brijkishore* and several others had made some observations on the third reading of the Bill, it was passed by the House unanimously.

MATCHES EXCISE DUTY BILL

Sir *George Schuster* then moved for consideration of the Matches Excise Duty Bill as reported by the Select Committee. He explained the changes and modifications made by the Select Committee in the Bill. He asserted that although the measure was not at present to yield much revenue the Government hoped that, eventually when the consumption of matches would increase, it will fetch considerably more revenue than could now be anticipated. He assured that the danger apprehended that the labour would be thrown out of employment as the industry would be affected, would be adequately safeguarded against by the Government.

Mr. *Raju* also read from the Press message that the Government's final decision regarding the allegation of provincial grants depended on the passing of the Matches and the Sugar Bills.

Sir *George Schuster* said that he would make the position clear during the third reading. The discussion had not concluded when the House adjourned.

20th. APRIL :—Mr. *K. C. Neogy* examined the various provisions in the Matches Excise Duty Bill to-day and opposed the principle that the States should be allowed to have a share in the proceeds of the Excise Duty. He contended that it was a novel provision which would create dangerous precedent and would create difficulties if and when the Federation comes into existence, for the Princes would then refuse to part with this source of revenue. He doubted if the method of the distribution of the proceeds was equitable.

Mr. *N. M. Joshi* felt that the excise on matches was wrong in principle as also the rate of duty which was very high.

Mr. *A. H. Ghuznavi* quoted the Simon Commission Report which recommended excise on matches.

After Sir *George Schuster's* reply the motion of consideration of the Bill was passed and there being no amendment the clauses were accepted.

Speaking on the third reading of the Bill, Sir *George Schuster* made observations on the general financial position in the light of the work done in the Assembly this session. Excepting making small changes in the rates of Excise Duties on matches, said Sir *George Schuster*, the Assembly had, in effect, accepted the principle of the Finance Bill and he therefore assured Bengal of the help already announced at the time of presenting the Budget and was not going to let Bengal down. Though the original estimates on Match Revenues would be reduced by nearly Rs. 1,20,00,000 due to the reduced rates, yet the proffered help to Bengal would stand. Regarding the issue of Banderols, Sir *George Schuster* hoped it would be done in early June and estimated the annual consumption of matches at the astronomical figure of 3,000 millions.

"Anyhow we will see that Bengal shall in effect in one form or another get full help even for this year that the Assembly intended. While as regards the future the principle of transfer is accepted and that is a thing which really matters to Bengal. The whole of this proposal is, I must request, made on a very definite condition that the Bengal Government must satisfy us that they are doing everything possible on their side to restore equilibrium. We shall take this matter up with the Bengal Government as soon as this session is over."

Mr. *B. Das*, Dr. *Ziauddin Ahmed*, Mr. *Gayaprasad Singh*, Mr. *Yaminkhan* and Mr. *Ghuznavi* also spoke. *Dewan Bahadur Mudaliar* hoped the Bengal Government would cut down expenditure. The Match Bill was then passed.

MECHANICAL LIGHTERS BILL

Sir *George Schuster* then introduced the Mechanical Lighters Bill seeking to impose Rs. 2 as Excise and Custom Duty on mechanical lighters.

When he moved the consideration of the Bill Dr. *Ziauddin Ahmed* raised a point of order whether the rules of business would be suspended on an important taxation Bill. Sir *George Schuster* said that the Bill was based on the Select

Committee's recommendation to 'safeguard against possible serious loss of revenue. "If any serious objection was taken to the proceeding with the measure, we feel on our side that so long as it is known by the public that the measure of this kind is in contemplation it would be quite sufficient to prevent anybody starting manufacture of mechanical lighter in this country. As for any danger of abnormal imports, we can prohibit imports, if there is a serious danger of overstocking in the market. If the Hon'ble Members feel it not fair to consider the measure at once, we are prepared to have it referred to the Select Committee or circulate it

Mr. *Bhupat Singh* moved for circulation of the Bill by 31st July, 1934, but on the President's suggestion and with Sir George Schuster's approval he made its circulation by 30th June.

INDIAN ARMY ACT AMEND. BILL

Mr. *G. R. F. Tottenham* then introduced a Bill amending the Indian Army Act of 1911 to provide for change in the constitution of the Indian Army, because of progressive Indianisation of the defence forces of India. It was proposed to designate as Indian academy, while those known at present as Indian officers in the Act will be known as Viceroy's Commissioned officers. The House then adjourned.

FRESH LEVY ON PETROL

21st. APRIL.—Discussion proceeded on the resolution of *Sir Frank Noyce* seeking to levy extra duty, of customs and excise, on motor spirits, of not less than two annas per gallon for the purpose of road development and civil aviation.

Dr. *Ziauddin Ahmed* moved several amendments. Mr. *Gaya Prasad Singh* wished that a substantial portion of the Road Fund be spent on roads in Bihar battered by the last earthquake.

Mr. *Abdul Latif Chowdhury* disagreed with some of the clauses of the resolution, specially those regarding the distribution of the proceeds of the duty. He held that Bihar and Orissa, Assam and Central Provinces, which were undeveloped in respect of roads, should get a more equitable share.

Mr. *G. Morgan*, supporting the resolution, observed that there should be a policy of co-ordination in the scheme of road development throughout India.

Mr. *Ramkrishna Reddi* moved an amendment that grants be made to the local Governments and that they should be earmarked for development of rural communications.

Mr. *Sukraj Roy* moved amendments that funds to be distributed among local Governments might be on the basis of area, population and stage of development reached by each unit, and that the percentage to be retained for the central reserve from duty might be sixteen instead of fifteen.

Sir Leslie Hudson moved an amendment that the percentage to be retained for the central reserve should be revised by the legislature after three years.

Mr. *Satyen Mitra* found fault with clause 7 of the resolution, which gave powers to local Governments subject to the previous approval of the Governor-General to spend their share on the construction of new roads and bridges of any sort. He observed that such wide powers should not be given to local Governments. As for undeveloped provinces like Assam he suggested that they should be allowed to draw on the Central reserve fund.

Dewan Bahadur Ramaswami Mudaliar, Mr. *Ranga Iyer*, Mr. *A. H. Ghuznavi*, *Sir Abdur Rahim* and *Raja Krishnamachariar* made some observations on the resolution.

After *Sir Frank Noyce* replied to the amendments which were either withdrawn or defeated, the resolution was adopted. The House then adjourned *sine die*.

PROCEEDINGS OF PROVINCIAL COUNCILS

January—June 1934

THE BENGAL LEGISLATIVE COUNCIL

LIST OF MEMBERS

President

- 1 THE HON'BLE RAJA SIR MAN-
MATHA NATH ROY CHOWDHURY

Deputy President

- 2 MR. RAZAUR RAHMAN KHAN, B L.

Members of Executive Council

- 3 THE HON'BLE MR. R. N. REID,
C. S. I., C. I. E., I. C. S.
4 THE HON'BLE SIR BROJENDRA
LAL MITTER, K. C. S. I.
5 THE HON'BLE KHWAJA SIR NAZI-
MUDDIN, K. C. I. E.
6 THE HON'BLE MR. J. A. L. SWAN,
C. S. I., C. I. E., I. C. S.

Ministers

- 7 THE HON'BLE NAWAB K. G. M.
FAROQUI, KHAN BAHADUR
8 THE HON'BLE SIR BIJOY PRASAD
SINGH ROY, KT.
9 THE HON'BLE KHAN BAHADUR
M. AZIZUL HAQUE

Officials (Nominated)

- 10 MR. G. P. HOGG
11 MR. G. S. DUTT
12 MR. D. GLADDING
13 MR. N. G. A. EDGLEY
14 MR. H. P. V. TOWNEND
15 MR. L. R. FAWCUS
16 MR. O. M. MARTIN
17 MR. H. R. WILKINSON
18 MR. A. DE C. WILLIAMS
19 MR. B. R. SEN
20 MR. R. N. GILCHRIST
21 RAI MOHENDRA NATH GUPTA
BAHADUR
22 MR. J. M. BOTTOMLEY

Non-officials (Nominated)

- 23 MR. S. C. MITTER
24 REV. B. A. NAG
25 RAI REBATI MOHAN SARKAR
BAHADUR
26 MR. K. C. RAY CHOWDHURY
27 MAULVI LATAFAT HUSSAIN
28 MR. D. J. COHEN
29 KHAN BAHADUR MAULVI HAFI-
ZAR RAHMAN CHOUDHURY
30 MR. P. N. GUHA

- 31 MR. MUKUNDA BEHARY
MULLICK
32 BABU JATINDRA NATH BASU
33 MR. S. M. BOSE
34 SETH HANUMAN PROSAD PODDAR
35 RAI DR. HARIDHAN DUTT
BAHADUR
36 SIR HARI SANKAR PAUL
37 DR. SIR NILRATAN SIRKAR
38 MUNINDRA DEB RAI MAHASAI
39 DR. AMULYA RATAN GHOSE
40 BABU PRAFULLA KUMAR GUHA
41 RAI JOGESH CH. SEN BAHADUR
42 RAI SATYENDRA KUMAR DAS
BAHADUR
43 MR. SAILESWAR SINGH ROY
44 BABU JITENDRALAL BANNERJEE
45 MR. J. N. GUPTA
46 RAI SATYA KINKAR SAHANA
BAHADUR
47 BABU HOSENI ROUT
48 MR. R. MAITI
49 RAI SAHIB SARAT CHANDRA
MUKHOPADHAYA
50 RAI SATISH CHANDRA MUKHERJI
BAHADUR
51 BABU HARIBANSA ROY
52 BABU SARAT CHANDRA MITTRA
53 MR. P. BANERJI
53 RAI DEBENDRA NATH BALLAV
BAHADUR
55 MR. NARENDRA KUMAR BASU
56 SRIJUT TAJ BAHADUR SINGH
57 BABU AMULYADHAN RAY
58 BABU JATINDRA NATH ROY
52 BABU SUK LAL NAG
60 RAI KESHAB CHANDRA BANNERJI
BAHADUR
61 DR. NARESH CHANDRA SEN
GUPTA
62 BABU SATISH CHANDRA ROY
CHOWDHURI
63 RAI SAHIB AKSHOY KUMAR SEN
64 RAI SAHIB SARAT CHANDRA BAL
65 MR. B. C. CHATTERJEE
66 BABU LALIT KUMAR BAL
67 RAI KAMINI KUMAR DAS
BAHADUR
68 BABU KHETTER MOHAN RAY
69 BABU HEM CHANDRA ROY
CHOUDHURY
70 BABU KISHORI MOHAN CHAU-
DHURY

71 BABU PREM HARI ARMA
 72 RAI SAHIB PANCHANAN BARMAN
 73 BABU NAGENDRA NARAYAN RAY
 74 DR. JOGENDRA CHANDRA CHAUDHURY
 75 MR. SANTI SHEKHARESWAR RAY
 76 MR. PROSANTA DEB RAIKAT
 77 MR. A. RAHEEM
 78 MR. H. S. SUHRAWARDY
 79 MAULVI SHAIK RAHIM BAKSH
 80 MAULVI MUHAMMAD SULAIMAN
 81 MAULVI MUHAMMAD SAADAT-ULLAH
 82 NAWABZADA K. M. AFZAL KHAN BAHADUR
 83 MAULVI ABUL KASEM
 84 MAULVI ABDUL KARIM
 85 KHAN BAHADUR A. F. M. ABDUR-RAHAMAN
 86 MAULVI ABDUS SAMAD
 87 MAULVI SYED MAJID BAKSH
 88 MAULVI SYED NAUSHER ALI
 89 MAULVI ABUL QUASEM
 90 MAULVI ABDUL GHANI CHOWDHURY
 91 MAULVI AZIZUR RAHAMAN
 92 MAULVI NUR RAHAMAN KHAN EUSUFJI
 93 MAULVI ABDUL HAMID SHAH
 94 MAULVI ABDUL HAKIM
 95 KHAN BAHADUR MAULVI ALIM-UZZAMAN CHAUDHURI
 96 MAULVI TAMIZUDDIN KHAN
 97 MAULVI MUHAMMAD HOSSAIN
 98 MR. A. K. FAZL-UL-HUQ
 99 MAULVI ABI ABDULLA KHAN
 100 MAULVI NURAL ABSAR CHOWDHURY
 101 HAZI BADI AHMED CHOUDHURY
 102 MAULVI SYED OSMAN HAIDAR CHAUDHURI
 103 KHAN BAHADUR MUHAMMAD ABDUL MOMIN

104 MAULVI MUHAMMAD FAZLULLAH
 105 KHAN SAHIB MAULVI MD. BASIR- UDDIN.
 106 KHAN BAHADUR MAULVI EMADUDDIN AHMAD.
 107 MAULVI HASSAN ALI
 108 MR. A. F. RAHAMAN
 109 KAZI EMDADUL HOQUE
 110 MR. ALTAF ALI
 111 KHAN BAHADUR MAULVI MUAZ-ZAM ALI KHAN
 112 NAWAB MUSHARRUF HOSAIN, KHAN BAHADUR
 113 MR. C. G. ASHWORTH
 114 MR. W. L. ARMSTRONG
 115 MR. A. R. E. LOCKHART
 116 MR. J. W. R. STEVEN
 117 MR. R. H. FERGUSON
 118 MR. L. T. MAGUIRE
 119 MR. E. T. MCCLUSKIE
 120 RAJA BHUPENDRA NARAYAN SINGHA BAHADUR
 121 MR. SARAT KUMAR ROY
 122 MR. ARUN CHANDRA SINGHA
 123 KUMAR SHIB SHIKHARESWAR ROY
 124 MR. SYAMAPROSAD MOOKHERJEE
 125 RAI SOSANK COMAR GHOSE BAHADUR
 126 MR. H. H. BURN
 127 MR. F. T. HOMAN
 128 MR. C. R. SUMNER
 129 MR. H. BIRKMYRE
 130 MR. C. C. MILLER
 131 SIR EDWARD BENTHALL
 132 MR. G. A. MASON
 133 MR. C. G. COOPER
 134 MR. C. K. NICHOLL
 135 MR. J. B. ROSS
 136 MR. H. R. NORTON
 137 MR. SURENDRA NATH LAW
 138 MAHARAJA SRIS CHANDRA NANDY
 139 RAI SIR BADRIDAS GOENKA BAHADUR
 140 MR. ANANDA MOHAN PODDAR

Proceedings of the Council

WINTER SESSION—CALCUTTA—8th. JANUARY TO 24th. MARCH 1934

IMPROVEMENT OF ECONOMIC CONDITIONS

The Winter Session of the Bengal Legislative Council commenced at Calcutta on the 8th. January 1934. A resolution urging the Government to take immediate steps for the economic condition of the province was the first item on the agenda of the Council. The House discussed the resolution for nearly three hours and while the majority of non-officials congratulated the Government on the steps already taken in this direction, one of the members accused them of indifference. This evoked a reply from the *Finance Member* who asserted that the Government were deeply interested in the improvement of the economic condition of the province. The chief problem was that of raising prices. But the difficulty came in as to how to do it. He, however, warned the House against hasty and ill-conceived action.

Sir *P. C. Mitter*, Leader of the House, appealed for patience and said that it was only by common effort and whole-hearted cooperation that this baffling problem could be solved. In view of the assurance given by the Government the resolution was withdrawn. The House then adjourned.

BENGAL MAHOMEDAN MARRIAGES AMEND. BILL

9th. JANUARY :—The Council took up official business to-day. Hon. *Khawaja Nazimuddin* introduced a Bill to amend the Bengal Mahomedan Marriages and Divorces Registration Act of 1876. The Bill, which was referred to a select committee, sought to remedy certain disabilities under the existing Act. Under the law as it stands, the Mahomedan Marriage Registrar is not empowered to register a class of divorce in which the wife effects a divorce in accordance with the authority conferred upon her by her husband as a condition of the marriage. This omission, according to Mr. Nazimuddin, had been regarded as a grievance.

BENGAL PUBLIC DEMANDS RECOVERY AMEND. BILL

The Council then passed, without discussion, the Bengal Public Demands Recovery (Amendment) Bill introduced by Sir *Provash Chandra Mitra*. The mover observed that the Bill sought to avoid the delay and extra-work involved in the execution of a certificate in a district other than that in which it was filed. In order to attain this object, the Bill proposed to empower certificate officers to transfer copies of certificates for execution direct to the sub-divisional officers in other districts, instead of to the headquarters.

FIRE BRIGADE BILL

Sir *Bijoy Prasad Singh Roy*, Minister for Local Self-Government, then introduced the Bill known as the Licensed Warehouse and Fire Brigade (Amendment) Bill. Sir Bijoy explained that the intention of the framers of the original Act of 1893 was that half the cost of the fire brigade should be borne by the general tax payers and the other half by the special interest protected by the fire brigade. The fees levied under the Act showed a progressive decline, although the cost of maintaining the fire brigade had gone up. "It has become apparent" said the mover, "that until the maximum limit prescribed for licence fees in the Act is raised from Rs. 750 to Rs. 1,500, it will not be possible to realise half the cost from such fees as originally contemplated".

The Council, without discussion, agreed to the introduction of the Bill and passed it.

ALLUVIAL LANDS BILL

The Council referred to a select committee Sir *P. C. Mitter's Alluvial Land Bill*. The existing Act does not provide clearly for the procedure to be followed where an alluvial formation attached by the Collector of one district is subsequently found on survey to being to a neighbouring district as, for instance, by a change in

the course of the main stream, while proceedings are pending. Any person claiming any right to land, however vague or unfounded, can under the present law insist on being made a party. According to Sir Provash the Act did not also fix a time limit within which such a claim might be made.

SMALL CAUSE COURTS BILL

Mr. *Edgeley*, on behalf of Mr. Reid, moved for reference to a Select Committee of the Presidency Small Cause Courts Bill. He recalled the Bengal Retrenchment Committee's observation that, although in mofussil courts all applications must be stamped in accordance with the fixed scale of fees, no court fee was charged in the Calcutta Small Cause Courts, for certain classes of applications. The Retrenchment Committee had observed that there was "no reason why litigants in Calcutta should be in a privileged position in this respect". It was also found that certain other anomalies also existed. To remove these, the present Bill was being introduced. The motion, which evoked keen discussion, was put and agreed to.

SMUGGLING OF ARMS BILL

After passing a number of other official Bills, the Council took up the Bengal Smuggling of Arms Bill.

Mr. *G. P. Hogg*, Chief Secretary, moving the Bill in the unavoidable absence of the Member-in-charge explained the objects which led the Government to introduce the measure. He reminded the House that in recent times, smuggling of arms had been reported from various parts of Bengal. This Bill proposed to catch the middle men and those who acted as go between. Everybody would agree, said the Chief Secretary, that the smuggling of arms should be prevented. He continued that the present Bill was only the logical extension of the Goondas Bill, which had been passed by the Council without a division and which had since proved to be an unqualified boon to the citizens of Calcutta. Mr. Hogg drew the attention of the members to the mail robberies and dacoities and said that if they wanted to put an end to these, they should go and attack the problem at its very root.

Mr. *Shanti Shekareswar Roy*, opposing the reference of the Bill to a Select Committee, characterised the Bill as needless and unjustified. In his opinion, no case had been made out, because actual smuggling had not been proved. He declared that such arms as were used were probably stolen from or lent by licenses of fire-arms. He charged the Government with playing to the whims of British merchants. The speaker pointed out that sufficient powers were already possessed by the Government. Why should not they use those powers instead of coming to the Legislature to forge one more superfluous measure? He was not a terrorist, nor did he sympathise with terrorists, but still he felt called upon to oppose the Bill.

10th. JANUARY :—Mr. *P. Banerjee*, opposing the Bill, told the Government to lift the ban on fire-arms. He would assure them that, in that case, there was not likely to be any mail or other robbery. He caused considerable laughter when he declared that Europeans should be held responsible for the assassinations that were taking place, because the "fire-arms" with which these assassinations took place had been stolen from Europeans."

Mr. *C. C. Miller* appealed to the members to realise the implications of the Bill before they opposed it. The Bill was aimed at foreign sailors who did not scruple to pass arms for securing some profit and commission. He thought that the punishment provided for in the Bill erred on the side of leniency. He would have a more severe punishment meted out to smugglers. Justice and fairplay were good words, so far as they went, but they should not prevent them from looking at the Bill in a dispassionate manner. Mr. Miller said that the Goonda was a man of honour, compared with the "pistol pimp" meaning the dealer in illicit arms.

Khan Bahadur Azizul Haque, supporting the measure, declared that it was not necessary for the purposes of the Bill that murder should be rampant. A single case of murder was sufficient to justify the Bill.

The Chief Secretary, Mr. *G. P. Hogg*, replying to the debate, was thankful for the large measure of support the Bill had received. He declared that eighty per cent of the murders were committed with the aid of smuggled arms.

The Council agreed to refer the Bill to a Committee without a division

The Council then considered two other Bills, namely, the *Bengal Nurses Bill* and the *Bengal Non-Agricultural Lands Rent Amendment Bill* sponsored by Mr. Reid and Sir Provash Mitter respectively. The Council then adjourned till the 22nd.

22nd. JANUARY:—The report of the Select Committee on the Smuggling of Arms Bill was presented in the Council to-day. On the motion of the Finance Member, the Council sanctioned to-day expenditure incurred in 1931-32 of a sum of Rs. 2,137 and Rs. 42,132, on posting a military force and the construction of temporary military barracks, etc., at Chittagong.

BENGAL CESS AMENDMENT BILL

The Council then proceeded to discuss the Bengal Cess (Amendment) Bill as reported by the Select Committee. Sir P. C. Mitter was in charge of the Bill and according to the statement of objects and reasons the Bill sought to remove the various anomalies in the existing Acts passed in 1880 and to adopt the method for revaluation as agreed upon at the conferences held for this purpose. It also aimed at facilitating the collection of cess of rent-free lands and at giving a rebate to holders of estates who pay their cess punctually. Of the sixteen clauses the Council had disposed of thirteen clauses of the Bill and had not finished when it adjourned.

23rd. JANUARY:—The whole of the sitting of the Council to-day was devoted to a further consideration of the Bill. Barring one clause the House had practically disposed of the other clauses of the bill, the progress of which was facilitated by reason of a compromise effected between the contending groups and the Hon. Member in Charge (Sir P. C. Mitter) in connection with the question of determination of acreage rate.

24th. JANUARY:—On the motion of Sir Provash Ch. Mitter, Revenue Member, the Bengal Cess (Amendment) Bill was passed at the Council to-day with certain modifications. During the consideration stage of the bill, a lively debate took place over the proposal embodied in the bill granting a certain amount of rebate for punctual payment of road cess and public works cess. The *Praja Party* moved for the deletion of the clause and was supported by Mr. W. H. Thompson, Leader of the British Group. The principal ground for deleting the clause was that cess was a public demand which required no rebate to be granted and if the five per cent rebate was granted it would take away about Rs. 4 lakhs of rupees from the entire cess which belonged to the District Boards of Bengal.

The *Zeminder* members of the House, on the other hand, wanted the percentage of cess to be increased and they complained that the duty of collection of cess had been unjustly cast upon them.

Sir P. C. Mitter, in reply, pointed out that this money would not come to the coffers of the government whose sole desire was to see that justice was done to all concerned. He was satisfied that 5 per cent rebate was a fair proposal and asked the House to remove the false impression that zemindars of Bengal were rich people. This grant of rebate was not to be regarded as a remuneration but as part of the loss which they were trying to recoup by spurring up collections.

The motion for deletion of the clause was lost by 67 votes to 29.

The clause in the bill, which was substituted by the Select Committee and eventually accepted by the House ran as follows:—

“A rebate of five per centum of the amount payable as instalment of road cess and public works cess in respect of any estate or tenure of the interest of a cultivating raiyat shall be allowed at the time of payment, provided (1) that the instalment is paid in full at one time on or before the due date and (2) the annual cess payable in respect of the estate, tenure or interest amounts to Rs. 50 or more.”

The House then adjourned till the 31st. January.

Bengal Criminal Law Amend. Bill*

31st. JANUARY:—The Hon'ble Mr. Reid moved to-day for the reference of the Anti-Terrorist Bill to a Select Committee of thirteen members, including himself. Mr. P.

*The statement of objects and reasons says: “The Bill seeks to supplement the existing criminal law so as to enable the local Government to grapple more effectively with the terrorist movement. Some of the clauses are of a deterrent nature, but most are preventive and are the outcome of an endeavour to prevent the recruiting

Banerjee, moving that the Bill be circulated for eliciting public opinion thereon by the 30th June 1934, examined the Home Member's arguments. Mr. Banerjee declared that after Mr. Reid's speech, he had been convinced that there was no necessity for the Bill. Continuing, Mr. Banerjee observed : "You have for the past thirty years assumed all kinds of special powers and still the terrorist movement exists and thrives". In his opinion, therefore, what was wanted to counteract terrorism was not a Bill of this kind, but they should go to the root of the problem and humanise the administration. They must cure the disease instead of attacking the diseased man. Mr. Banerjee charged the Government with exciting people to go off their heads.

The *President* : Do you suggest that the Government abet murderers ?

Mr. *Banerjee* : No, Sir. I say that the Government policy is responsible for the undesirable state of things referred to by the Hon'ble Member.

of young persons to the movement and to enlist the assistance of parents and guardians in saving those for whom they are responsible from being debauched by the terrorist groups.

"It is proposed to provide the penalty of death for certain offences under the Indian Arms Act of 1878 and the Explosive Substances Act of 1908, to make certain additions to the cases in which security can be demanded and the security of Press can be declared forfeited under the Indian Press Act, to prohibit the publication of information notified by the local Government as tending to create an atmosphere favourable to recruitment to the terrorist movement ; to make the Bengal Criminal Law Amendment Acts of 1925 and 1930 permanent ; to make provision for the dictation of evidence by Commissioners appointed under the Bengal Criminal Law Amendment Act 1925 and Special Magistrates under the Bengal Suppression of Terrorist Outrages Act, 1922 ; to shorten the procedure in trials before Special Tribunals where absconders who might have been tried jointly with others are apprehended during the process of a trial or after its conclusion ; to empower District Magistrates to restrain the movements of persons under the age of 21 years found consorting with terrorist suspects ; to penalise the possession of certain classes of literature ; and to empower District Magistrates to restrict the activities of associations which encourage the commission of crimes of violence or intimidation.

Clause 3 of the Bill proposes to inflict death sentences for manufacture, conversion or sale of arms, ammunition or military stores but this will be confined to offences committed in circumstances indicating that the offenders intended to use the arms for the commission of murder or abetment or knew it likely that the arms would be so used. The necessity for this provision will be found in the fact that several cases of countrymade arms by terrorists have recently come to the notice of Government.

Dealing with the Press the statement says that since the passing of the Press Act of 1931, direct encouragement of murder or violence has perforce been abandoned, but recourse is still freely had to indirect methods such as the expression of undue concern and sympathy for detenus in the Detention Camps and convicts in the Andaman Islands, commemoration of terrorist convicts and detenus, and the publication of laudatory accounts of revolutionary movements in other countries, all of which are bound to have the effect of putting revolutionary ideas into the susceptible minds of the young.

Reason for making B. O. L. R. Acts of 1925 and 1930 permanent whose life was fixed at ten and five years respectively the statement goes on that experience has shown that there is not the smallest doubt that temporary legislation keeps alive the hope in the minds of those concerned in the revolutionary conspiracy that Government will before long be deprived of the power to continue against them the special measures which they from time to time put in force.

As for the clause dealing with the dictation of evidence, it is stated that the object is to lighten the work of the Commissioners who usually have to handle voluminous evidence and thereby speed up the trial.

The Bill also gives power to District Magistrates to take action without reference to local Government, but after consultation, where practicable, with parents or guardians. The provision relating to parents etc. has been introduced with the definite aim of securing the support of those who are anxious to save their children from corruption. There is also a clause in the Bill which makes a person liable to imprisonment for three years and fine if he has in his possession any newspaper, book or other document which had been prohibited under the Sea Customs Act, declared forfeited to the Government etc.

Mr. *Banerjee* characterised the sections directed against newspapers as dictated by a desire to suppress publication of honest news. The truth was the Administration was a failure and stood self-condemned.

Mr. *Narendra Kumar Basu* moved for eliciting public opinion before 1st April. He observed that in the name of law and order, illegalities were committed and reminded the official benches that the interest of law and order were dear to his side of the House also. He referred to the sympathetic handling of the economic side of the problem by the Viceroy and the Governor, but declared that constitutional government was the only cure. But did the White Paper help to create a healthy state of affairs? He was afraid not. Mr. Basu asked if the Government had been able to deal with the terrorist problem, although they had armed themselves with extraordinary powers. Was there an instance of Government actually preventing one terrorist outrage? In India, terrorism was a recent movement, but in other countries, it was in existence for a longer period. Was there any instance of any legislature in any country vesting extraordinary powers of this character in the Executive?

Mr. *Basu* examined the clause relating to death sentence and averred that the clause tended to be unduly severe, for it did not say that the Courts "may sentence an accused to death" but stated that the Court "shall sentence an accused to death". This, in Mr. Basu's opinion, sought to deprive the Judiciary of its discretion and right. Mr. Basu characterised the measure as a piece of panicky legislation. Such provisions, as the Bill bristled with, were not going to be helpful to India on her march to constitutional progress.

Mr. *K. M. Roy* and Mr. *Kamini Kumar Das* supported circulation of the Bill.

Although he subscribed to the principle of the Bill, Mr. *A. K. Fazl-ul-Haq* supported Mr. Basu's motion and declared that some of the provisions were so drastic as to need complete modification. Gentlemen of the Treasury benches should change their perspective. Mr. Fazl-ul-Haq asked what with the already heavy armoury of the Government Mr. Reid had been able to achieve. Some of the provisions were very drastic. Drastic provisions always failed. The Law of Evidence was sought to be set at nought by the Bill. Who were to constitute the special benches? The Deputy Magistrates who were henchmen of the Government? Amidst cries of "Hear, hear" Mr. Haq asked why the Select Committee had not been composed of all the Rai Bahadurs and Khan Bahadurs of the Council. (Laughter.) He thought that some kind of legislation was called for, but a Bill of the kind introduced by Mr. Reid was uncalled for, unjustified and improper. "Consult public opinion", said Mr. Haq "and you will not lose by it". He added: "Is it for the purpose of getting Bills of this description passed, that you have extended the life of this council?"

Mr. *W. H. Thompson* considered that no useful purpose would be served by eliciting public opinion. Terrorism stared them in the face and every reasonable person agreed that it should be tackled. Every moment lost was a moment gained by the terrorists. He would, therefore, oppose the motion.

Dr. *Naresh Chandra Sen Gupta* asked if it was meant that the Hon'ble Member were to enter the Council only to nod assent to Government behests? In his opinion, it did not follow that because a person was anti-terrorist, he should necessarily walk into the official parlour. As one who had practised the law for the last thirty years it struck him that the Bill was an outrage on cherished rights. He was half inclined to oppose the Bill. He ridiculed the proposed Tribunals. Dr. Sen Gupta characterised, as an insult to the profession of journalism in the country, the provision to control news. "It is an attempt to compel newspapers to support the Government", declared Dr. Sen Gupta,

Mr. *Shanti Shekhawar Ray* observed that the passage of the Bill through the Council would create unhealthy repercussions, and would strengthen the hands of reactionaries who were against transference of Law and Order to popular control. He charged the Government with playing deliberately into the hands of reactionaries, both in India and in England.

1st. FEBRUARY :—The *Raja Saheb of Nashipur*, although a supporter of the Bill, attacked some of its provisions. The clauses relating to newspapers and those providing for capital punishment were characterised by the Raja as bordering on undue severity. He pleaded for the reference of the Bill to a Select Committee, where he had no doubt it would be shorn of its objectionable features.

Mr. *Abdul Momin*, claiming to represent the united Moslem voice of Bengal, repudiated Mr. A. K. Fazl-ul-Haq's view on the matter. Mr. Momin admitted that some of the clauses of the Bill, as pointed out by the Raja of Nashipur, were retrograde, and should be modified in the Select Committee. He defended the Judicial and Magisterial services against what he called unbecoming attacks on them.

Khan Bahadur Nawab Mosharuff Hossain, ex-Minister, on the other hand, wanted the Bill to be referred to public opinion.

Mr. *Azizul Haque* asked whether it was intended to let the orgy of murder to continue by circulating the Bill to elicit public opinion. Mr. Haque contended that the Bill was necessary and inevitable.

M. *Cooper* and Mr. *C. C. Millar* wholeheartedly supported the Bill without reservations, for it should be the primary concern of every Government and legislature to protect the interests of law and order. The former condemned the Opposition for their "delaying tactics".

Mr. *Shyamaprasad Mukherjee* led the attack against the Bill in a powerful speech. Mr. Mukherjee condemned the tactics of the supporters of the Bill in its present form. Were they actuated by their own interests or by the interests of the children of the soil? He took leave to say that the interests of the children of the soil were involved. If that was so, why should not they, he asked, oppose a Bill which was retrograde in character and which was calculated to deprive them of civic rights in the name of suppressing terrorism? He instanced clause 35, which, in his opinion, was most reckless, and was an unabashed attack on public liberties, because it gave the Bureaucracy the right to condemn a man for possessing any literature, not actually condemned or banned, but which "might be condemned". Mr. Mukherjee made a rapid survey of the whole Bill in some of its essential features, and declared that the provisions were so drafted as to bring into the clutches of the law not terrorists, but peaceful citizens. Mr. Mukherjee denied that the Press was organising an atmosphere favourable to terrorists. "Why were the Government so nervous?" asked the speaker. He added that it was unbecoming of the Government, to seek to suppress the publication of public grievances. The Bill was objectionable because it gave power to the Government to decide what news should and what news should not be published in newspapers. Mr. Mukherjee characterised as dangerous and unprecedented some of the provisions whose objects, in his opinion, were to deprive people of their legitimate right as regards trial.

Mr. *R. Maiti* supported the Bill subject to reservations. Mr. Maiti could not subscribe to the principle that because a man absconded, that act constituted evidence of his guilt leading to his conviction. He pleaded for the dropping of the clauses against newspapers on the ground that if that clause formed part of the Bill, the public would be compelled to remain in the dark as to the happenings in the world. He urged the Government to accept the motion for circulation.

Prof. *Jitendralal Banerjee* mainly directed his attacks against Mr. A. K. Fazlul Haque, though turned out of office as Minister by verdict of public opinion and by the verdict of legislature had stuck to his Ministerial chair for six months thereafter. Did it lie in Mr. Haque's mouth to say that the Government should be guided by public opinion? Continuing Mr. J. L. Banerjee asserted that terrorism was a reality. The speaker had no patience with those who suggested that terrorism could not be stamped out. Perhaps, the law could not root out the terrorist mentality, but it certainly would uproot terrorist activities. If the latter object were achieved, the Government would have achieved the purpose of the Bill, for it aimed at suppressing terrorist activity and making it impossible.

Winding up the debate. Mr. *Reid*, Home Member, claimed that no case had been made out for circulation of the Bill. He repudiated the suggestion that the Government wanted to control the publication of honest news. The Home Member denied that the Government were actuated by any motive other than to suppress terrorism. After examining various allegations made on the floor of the House about the severity of certain clauses in the Bill. Mr. Reid repeated the assurance he had made while making his motion and promised that the Government would carefully consider any proposal in the Select Committee for modification of the Bill. He emphasised that the situation demanded a Bill of this kind. They had to suppress terrorist activities. The Home Member appealed to the House to protect the lives and properties of peaceful citizens. He claimed that he had made out a complete case.

The Council, by a majority, rejected Mr. *P. Banerjee's* and Mr. *N. K. Basu's* amendments. The House then passed the original motion, and referred the Bill to a Select Committee and then adjourned till 5th February.

CASH CREDIT TO AID INDUSTRIES

5th. FEBRUARY. :—At the instance of *Nawab K. G. M. Farouqi*, Minister for Industries and Agriculture, the Council urged the Government to undertake the liability involved in the guarantee of cash credit with banks in accordance with the provisions of the Bengal State Aid to the Industries Act, to the extent of Rs. 50,000. The idea behind this form of State aid, the Minister said, was to enable bona fide industrialists or small industrial concerns to tide over temporary financial difficulties by guaranteeing their overdraft from a recognised bank.

A non-official attempt to amend the existing Standing Orders with a view to over-riding the precedence of ballot in the matter of non-official resolutions, fell through in the Council to-day.

CALCUTTA PORT TRUST AMEND BILL

On the motion of the Finance Member, the Council to-day passed the Calcutta Port (Amendment) Bill 1934, the object of which was inter alia to validate the withdrawal hitherto made of certified excess in the sinking fund, and also to permit such withdrawals so as to place the legal position in this connection beyond doubt.

BENGAL WATERWAYS BILL.

Sir A. K. Ghuznavi then presented the report of the Select Committee on the Bengal Waterways Bill. Moving that the bill be recommitted to the Select Committee, *Dr. N. C. Sen-Gupta* said that the problem which the bill sought to tackle was more than any other problem of vital importance to the life of the bill. The question of dead and dying rivers was of vast importance to the people, but it appeared that question had not received adequate consideration in this measure. This bill only sought to create a Waterways Board to which would be entrusted not the whole work of making a comprehensive scheme but the duty of keeping open the waterways for the purpose of navigation. That was not the way in which the problem had got to be solved. What was required was a scientific investigation of the water resources but that had not been done in this bill. In addition they had got to thrash out the financial aspect of the matter in the Select Committee and that too had not been done. The debate had not concluded when the Council adjourned.

6th. FEBRUARY: —Moving the recommitment of the Bill to a select committee, *Mr. W. S. Thompson* said that the speech of *Sir A. K. Ghuznavi*, Irrigation Member, asking the House to consider the report of the committee had left the impression that financial proposals might be taken into consideration any time, and that it was the wish of the Committee that the Bill should be passed as it was.

Sir A. K. Ghuznavi, replying, expressed surprise and amazement at the tone of *Mr. Thompson's* speech which reminded him of the days when no epithet was considered too bad to be applied to Government members especially Ministers. *Sir A. K. Ghuznavi* denied the charge of misrepresentation of the intention of the select committee, and said that the members of the committee were in the House and they would bear him out when he said that the select committee would not unavoidably delay the passage of the Bill. He claimed to have done nothing against the behests of the select committee, and denied all the allegations made.

The motion of *Mr. Thompson* for recommitment was lost without a division. The House similarly negatived the motion of *Dr. N. C. Sengupta* for recommitment with instructions to report by June 30. During the consideration stage the House rejected the motions of *Mr. N. K. Basu* and *Dr. N. C. Sengupta* substantial majority for exclusion of the Chairman of the Post Commissioners and inclusion of the Director of Public Health, Bengal on the proposed Board.

7th. FEBRUARY: :—The Council accepted the principle enunciated by the Hon. *Sir A. K. Ghuznavi* that "statutory racial discrimination is objectionable in a matter governed by the members of the Legislative Council."

The point arose in connexion with the resumed discussion of the Bengal Waterways Bill relating to the constitution of the proposed Waterways Board. The original bill provided that one Muslim and one non-Muslim member of the legislature would represent the House on the Board. The Select Committee altered this provision stating that the Board would have "two Indian members of the Bengal Council of whom one shall be a Muslim and the other a non-Muslim."

Sir A. K. Ghuznavi moved an amendment, substituting the clause of the Select Committee by the simple provision that the Board would have "two members of the Bengal Council", while in another amendment Mr. N. K. Basu wanted that the legislature would be represented on the Board "by two Indian members of the Council." Mr. Basu, in commending his amendment to the acceptance of the House, said that the Hon. member's present move was to placate the Bengal Chamber of Commerce. They had enough of European representation in this Board and it was only proper that representatives of the Council should be Indians.

The House defeated the amendment of Mr. Basu seeking to restrict the election to Indian members by 64 votes to 11 and accepted the amendment of Sir A. K. Ghuznavi by 60 votes to 8 which threw open the election to all members of the Council.

8th. FEBRUARY:—Rapid progress was made when the House resumed discussion of the Bill and adopted 33 clauses with minor modifications, disposing of 159 amendments out of 337.

The House adopted the clause in the bill relating to the constitution of the proposed Waterways Board whose function would be to see to the maintenance and improvement of waterways in Bengal for purposes of navigation. Twelve Trustees will constitute the Board, including the Chairman of the Port Commissioners, a member of the Bengal Chamber of Commerce, two persons representing the interests of the Indian Mercantile community, two members of the Council, two representatives of the District Boards, three persons to be appointed by the local Government, of whom one shall be representative of the interests of persons carrying on the business of transport by water, and a Chairman. The first Chairman will be appointed by the local government by notification and subsequent Chairmen after consultation with the Board. The term of appointment of the Chairman will be for a period of three years and the post carries a salary not exceeding Rs. 2,500 per month.

An attempt was made by several *non-official members* to reduce the salary of the Chairman to Rs. 2,000 but the Council turned down the proposal.

By two amendments with regard to the constitution of the Board, Mr. N. K. Basu wanted to make it obligatory upon the Government not to nominate officials and also to delete the provision requiring Government to nominate a person representing the interests of persons carrying on the business of transport by water. Mr. Basu regarded these amendments an 'acid test'. In his attitude to these amendments Mr. Basu would judge whether the Hon. member was really bringing swaraj in the matter of waterways or he was going to deliver himself tied hand and foot into the hands of the Europeans and Officials.

Mr. C. C. Sumner remarked that the proposed Board should include expert experience on matters regarding river conditions and such experts might be found in the services of the Indian Navigation Company. To deliberately exclude them from the proposed Board in his opinion would be unwise.

The Hon. Sir A. K. Ghuznavi in reply said that in all his life he had not as yet conciliated anybody except God and he was not going to deviate from the policy in the future. He had not tried to please anybody and had not also played to the gallery. He opposed the amendments which were lost by overwhelming majority.

BENGAL CR. LAW AMEND. BILL—SEL. COMM. REPORT

13th. FEBRUARY:—The report of the Select Committee on the Bengal Criminal Law Amendment Bill, 1934 was presented by the Home Member to the Council to-day.

The Committee has restricted cases in which death penalty can be imposed by the Commissioners for certain offences under the Arms Act.

The Committee make an important change in clause 19, making it obligatory on the Government, to pay allowances to the dependents of the detinue, provided the allowance does not exceed the amount the detinue himself would have been able to contribute had he not been restrained.

The Committee has also provided a safeguard regarding the penalty for possession of objectionable literature by which a casual or bona fide possessor of such things would not come within the scope of the Bill if he could prove that the possession was not for inciting murder or for directly or indirectly expressing approval or admiration of such an offence.

The Committee has also added a provision in the preamble, making it specially clear that the Bill is intended to deal "more effectively with the terrorist movement in Bengal."

MR. BASU'S DISSENTING MINUTE

Mr. N. K. Basu, the only dissenting member, says that the death penalty is indefensible. The clause dealing with the Press, he says, is unprecedented even in Press legislation in India, and is calculated to hamper the legitimate activities of the Press. While acknowledging that several improvements have been made in the Bill by the Committee, he finds still many objectionable features in it and he cannot agree with the Committee's recommendation that the Bill be passed.

BENGAL WATERWAYS BILL (CONTD.)

The Council adjourned after a discussion of further amendments to the Waterways Bill.

14th. FEBRUARY :—Charges of playing tactics and tricks were levelled at the Irrigation Member by the Leader of the European Group and other Oppositionists when the Council resumed discussion of the Bill to-day.

The debate centred round the contribution of the Government for the first five years to the proposed Waterways Board. The original Bill provided Rs. 2,31,000 which was increased to Rs. 5 lakhs by the Select Committee. There were two amendments, one by Mr. Satyakinkar Sahana, reducing the grant to Rs. 2 and a half lakhs yearly, and another by the Irrigation Member reducing it to Rs. 2,31,000.

The acceptance by the Irrigation Member of Mr. Sahana's amendment took the House by surprise.

Before there could be any discussion, the President put the amendment to vote which was carried by 48 to 41 votes.

Thus defeated, the non-officials opposed the adoption of the clause as amended. Various charges were made against the Member-in-charge.

Denying the charges levelled against him, Sir A. Ghuznavi, Irrigation Member, maintained that the Government followed precisely the recommendation of the Expert Committee and had in no way deviated from the recommendation of the Select Committee.

After much discussion, Mr. W. S. Thompson, Leader, European Group, moved an amendment, with a view to smoothing down matters, adding a proviso to the clause, that on the representation of the Board or otherwise, the Government might raise the amount of contribution.

The clause thus amended was carried by 64 votes to 12.

15th. FEBRUARY :—Moving the final reading of the Waterways Bill in the Council to-day, Sir A. K. Ghuznavi congratulated the House. For the first time, a machinery had been evolved by the Government which would look to the well-being of the rural population and consult local opinion, local needs and local interests.

THE CATTLE TRESPASS BILL

The *Cattle Trespass Bill*, which was introduced to-day by the Home Member, empowered the Magistrate of the district to appoint Presidents of Union Boards to conduct sales of impounded cattle.

THE ARMS SMUGGLING BILL (CONTD.)

The discussion of the Arms Smuggling Bill was then resumed. The first five clauses were passed without discussion.

Mr. P. Banerjee moved that for clause 6 (2), including proviso (a) (b) and (c), the following be substituted, namely : "The Judges shall consider the report and other facts of the circumstances, if any adduced before them by the local Government in open court, giving the person or persons against whom a report has been made, an opportunity to defend himself or themselves by a pleader and to adduce

any evidence that may be necessary in this behalf. The advising Judges shall be bound to observe the rules of evidence”.

The mover maintained that the fact of the existence of the Goonda Act in similar wording was no justification for placing on the statute book a piece of legislation which sought to deprive the accused person of his natural liberty to defend himself, to rebut any evidence against him and to adduce such evidence of his own as he thought necessary to prove his innocence of the charges levelled against him. The speaker could not see any reason why the Government should seek to deprive any accused of his right to open trial.

Mr. *R. N. Reid*, Home Member, opposed the amendment. He pointed out that the question had been fully thrashed out by the select committee which had brought out a unanimous report.

The motion was negatived without a division. Clause 6 was then made part of the Bill.

Mr. *G. P. Hogg*, Chief Secretary, moved that after clause 7 (2), which gave the Government the right to extern suspected and offending persons, it be added, “provided that the Local Government may, at any time, cancel or suspend such orders or reduce the period for which the said person is required to leave Bengal or the notified area”. The amendment was put and agreed to.

Other clauses of the Bill were agreed to without any discussion.

Mr. *Shanti Shekareswar Roy* opposed the passage of the Bill. He maintained that the provisions were so vague as to create complications. In justification of his assertion, he recalled the Chief Secretary's own amendment which the Government themselves thought it necessary to introduce so as to remove obvious injustice. The speaker condemned the provisions relating to custody and said that the clause was vaguely worded. “Do you mean” Mr. Roy asked “police custody or jail custody? An accused person cannot normally be kept in police custody beyond a certain time. This section leaves the position dangerously vague and undefined”. Mr. Roy, concluding, regretted that the Government had not justified the introduction of the Bill much less its passage.

Mr. *Reid* defended the Bill, which was passed without a division.

The Council then adjourned till the 19th.

BENGAL WAKF BILL

19th. FEBRUARY :—The House devoted the whole day to the consideration of the Bengal Wakf Bill reported by the Select Committee.

Moving that the report be taken into consideration, *Maulvi Abdul Gani Chowdhury* said that mismanagement of wakfs had proved to be a public scandal and there was no doubt that it contributed to the deplorable poverty, illiteracy and ill-health of the Muslim population, particularly of the Muslim middle-class of Bengal. The wakf properties in Bengal formed the most important source of wealth created for manifold charities and for the welfare of the Muslim community, and the bill contemplated to regulate the use of wakf incomes to legitimate purposes and proposed to set up a machinery with this object in view.

This is a provision in the bill dealing with the annual levy on all wakfs and providing for an annual contribution of two and a half per centum on the gross income in the case of private wakfs. The proposed machinery will be run by the Commissioner of Wakfs exercising the administrative and executive authority with the help of a Board who will act largely in the advisory capacity. Judicial proceedings in the case of wakfs will in future be taken by a judge sitting with two Musalman jurors.

During the consideration stage the House, by 38 to 20 votes, accepted an amendment of *Khan Bahadur Abdul Momin* that this “Act” would not apply to the Dawoodi Bohra community. Government members did not participate in the division.

20th FEBRUARY :—The constitution of the proposed Board for the proper administration of the Wakf property was settled in the Council to-day.

For the first three years the “Board of Wakfs” shall consist of the Commissioner as President, five members to be appointed by the Government, of whom one shall be a Shia and only one shall be a mutwalli, and two members to be elected by the Bengal Council from among the members of the legislature.

The House negatived the amendment of *Dr. N. C. Sen-Gupta* to take away the power of the Board with the sanction of the Government to exclude wakfs from the operation of the measure.

Rai Bahadur Dr. Haridhone Dutt championed the cause of Shia community and asked for an additional seat of that community on the proposed Board. For this purpose the *Rai Bahadur* suggested that of the two members from amongst the legislature the Government should have the power to nominate a Shia member of the Council if the other member elected belonged to a Sunni community. According to him, the representation of the Shia community was inadequate.

The amendment of *Dr. Dutt* was lost without a division, but subsequently the House accepted an amendment of the *Education Minister*, empowering the local Government to appoint three additional members from the Shia Community to sit on the Board only when wakfs created by the Shias would be considered by the Board. This, in the opinion of the Minister, would safeguard the interests of the Shia community, giving them a real voice in matters concerning them.

21st. FEBRUARY :—The House to-day settled the functions of the Commissioner who will act as President of the Board of Wakf and of the Board. The functions of the Commissioner shall include, inter alia, investigating the nature and extent of Wakfs and calling from time to time for accounts, returns and information from mutwallis. The functions of the Board shall include inter alia giving directions in what manner any surplus income of a wakf shall be utilised. In furtherance of the objects of the wakf or in the interest of the beneficiaries the Board may revise any provision in the wakf deed which has become in-operative or impossible of execution owing to efflux of time or changed conditions.

Financial Statement for 1934-35

The Hon'ble *W. J. A. Woodhead*, Finance Member, then presented the Bengal Budget and gave an appalling picture of Bengal's finances.

A deficit of Rs. 2.06 crores in the estimates for 1934-35, in spite of rigorous economy in all departments, which amounted to Rs. 94.75 lakhs as compared with 1929-30; an appalling drain, owing to measures to cope with terrorism and other subversive activities, which amounted to Rs. 173.75 lakhs for 1932-33 to 1934-35; and an unanswerable case for immediate revision of the financial settlement for this province were the outstanding features of the speech of the Hon'ble *Mr. Woodhead*. "Judged by the figures of the budget estimates, the financial position is worse instead of better, and if there were no hope of our claim to a revision of the existing financial settlement being conceded the outlook would be one of utmost gravity", with these words *Mr. Woodhead* opened his speech.

Mr. Woodhead then referred at length to the economic depression and its repercussions on Bengal's trade, especially in jute and other agricultural products, where the prices were the lowest ever recorded. He then explained the drain on account of terrorism and said, "Last year I drew attention to the heavy additional expenditure thrown on the revenues of the province by the Civil Disobedience and terrorist movements during these years when the revenue position demands that every economy should be made. Unfortunately, this expenditure, which is unavoidable, if law and order to be maintained,—and law and order must be maintained, no matter what the cost may be—continues to be a very heavy burden on our resources. In 1933-34 this expenditure, according to the revised estimates is Rs. 53 and one-fourth lakhs and the budget for 1934-35 makes a provision for Rs. 52 lakhs. The decrease of 1 and one-fourth lakhs is more than accounted for by expenditure amounting to Rs. 3,68,000 during 1933-34 on construction of the jail at Delhi. The figures for the year 1931-32 and 1932-33 are Rs. 21 and one-half and Rs. 47 lakhs respectively and by the close of the year 1934-35 the promoters of anarchy will have involved the province in an expenditure amounting to Rs. 173 and three-fourth lakhs. There appears to be little hope that this burden will be reduced substantially in the immediate future and I feel sure that every right-thinking person will agree that it is nothing short of a catastrophe, that these movements subversive of law and order have placed such a large additional burden on the resources of the province".

The Finance Member claimed that a saving of Rs. 94.75 lakhs by way of retrenchment had been effected. He added that the revised scales of pay would be brought into force on and from 1st April next. Continuing, *Mr. Woodhead* compared the figures of the estimated expenditure in 1934-35 with those of the actuals of 1932-33 and 1933-34. A point that will strike any one who compares these figures with the actuals for the year 1930-31 is this, that although the expenditure fell by

Rs. 73 lakhs between 1930-31 and 1932-33 it was on the increase in 1933-34 inspite of retrenchment. He then detailed the losses in revenue under the heads, Excise, Stamps and Salt. While providing for an improvement of nearly 15 lakhs, the Member warned the House that the situation did not warrant taking an optimistic view of the revenue prospects.

As regards expenditure, the estimates provided for Rs. 11,29,17,000, being an increase of Rs. 34,68,000, over the revised estimates for 1933-34. Mr. Woodhead explained that this increased expenditure was accounted for mainly by interest and pensionary charges and additional expenditure on roads from the Central Road Development Fund and from proceeds of taxes on motor vehicles. Referring to the repairs consequent on the recent earthquake, Mr. Woodhead said, "Fortunately, the earthquake, which has had such disastrous effects on the neighbouring province of Bihar and Orissa, has caused little damage in Bengal outside Darjeeling District. In that district the damage to Government property is, however, considerable and the Council will notice that Rs. 2 and half lakhs have been provided as reserve for expenditure in respect of such damage".

Continuing, Mr. Woodhead reiterated his demand for equitable financial adjustment. He told the Council that Government were continuing to press Bengal's just claims for full provincialisation of the jute export tax. Under the existing financial arrangements a balanced budget would be possible only by reduction of expenditure by Rs. 2 and one-fourth crores, but to do so would jeopardise the interests of the transferred departments. He pleaded for more equitable financial arrangements under the impending constitution.

Concluding, Mr. Woodhead declared: "It would be disastrous if the mistake of 1921 were repeated. Stagnation would once again be the inevitable result of such a new financial settlement. It is of paramount importance that under the new constitution, the finance of the Province should be placed on a sound basis. Bengal can justly claim for a financial settlement which will redress the injustice of the past and render possible the development of those constructive services, the curtailment of which had been such a marked feature of the administration during the last twelve years".

THE BENGAL WAKF BILL (CONTD,)

22nd. FEBRUARY :—A close voting took place over an amendment of the Hon. Mr. K. Nazimuddin, Education Minister, in connection with the creation of the proposed Wakfs Fund. The bill provided that all monies received by the Board or the Commissioner and all other monies realised, including fines imposed upon mutwallis, shall form a fund to be called the "Wakfs Fund". The Minister moved an amendment for exclusion of the fines from the proposed Fund and this amendment was carried by 34 votes to 32.

The House, however, without a division accepted another amendment of the Minister that the Wakfs Fund shall, subject to the provision of sub-section 2, be under the control of the Board. Sub-section 2 gives power to the local government to make rules regulating the payment of monies into the Wakfs Fund, the investment by the Board of monies received into the fund and the custody and disbursement of such monies.

At the instance of the Minister the House accepted an amendment regarding the application of Wakfs Fund which shall be applied to the payment to the government of cost of survey of wakfs properties, repayment of any loan and payment of interests thereon, payment of the cost of audit of the Wakfs Fund, payment of salary and allowances of the Commissioner and payment employed by the Board and of all expenses incurred by the Commissioner and the Board in the performance of the duties imposed and the exercise of the powers conferred by this Act. If any balance remains after meeting the expenditure, the Board may use any portion of such balance for the preservation and protection of wakf property. The House also accepted another amendment of the Minister regarding statements of wakfs-al-al-aulad.

23rd. FEBRUARY :—The Council passed to-day the Bengal Wakf Bill without any division. The measure was initiated by a non-official member of the House, *Maulvi Abdul Ghani Chaudhury*, and its object was to make provision for the proper administration of Wakf property in Bengal.

According to the mover mismanagement of wakfs had proved to be a scandal and there was no doubt it contributed to the poverty, illiteracy and ill-health of the Muslim population. The wakf properties, he said, formed the most important

source of wealth created for manifold charities and for the welfare of the Muslim community and the measure contemplated to regulate the use of Wakf incomes into legitimate purposes and proposes to set up a Board for this purpose.

The Hon. Mr. *K. Nazimuddin*, Education Minister, explained the difficulty of Government in introducing a measure like this which dealt with religious matters. But, he added, Government had given all co-operation in drafting the bill and making it workable.

BENGAL STATE LOTTERIES BILL

The Council then threw out the Bengal State Lotteries Bill, by defeating the motion of Mr. *P. Banerji*, the sponsor of the bill, for its reference to a Select Committee.

The object of the bill was to make adequate provision for the improvement of Public Health, Sanitation, Hospitals, Agriculture and Industries, as in the present state of finance, it was not impossible for the Government to do so. Further, enormous wealth in the opinion of Mr. Banerji was being drained out of the country by Foreign Sweep Stakes and also unlicensed Lotteries were held in the country serving no useful purpose. He therefore wanted the Government to step in and utilise such money for the benefit of the Province.

The considered opinion of the Government that the system of public lotteries is definitely mischievous and should not be adopted as a means of raising money for public and quasi public purposes was voiced by the Finance Member, the Hon. Mr. *J. A. Woodhead*, opposing the Bill, the motion for reference of which to a Select Committee was defeated by 55 to 17 votes. While Mr. *Norton* and Mr. *W. L. Armstrong* supported the motion though maintaining that the Bill was unsupportable in the present form, Mr. *W. H. Thompson* opposing said that representatives of British industrial interests in the Council were definitely opposed to the whole idea of the Bill. Moslem and Hindu opinion in the House was divided. The House then adjourned till the 26th.

BENGALIS AND THE ARMY

26th. FEBRUARY :—Without opposition, the Council to-day adopted a resolution of Rai Bahadur *Keshab Chandra Banerji* recommending to the Government “to convey to the Government of India and His Majesty’s Government in England that, in the opinion of the Council, early steps should be taken for giving military training to the people of Bengal so as to raise a permanent unit to form part of the Indian Army.” Explaining the Government’s attitude, the *Home Member*, the Hon’ble Mr. *R. N. Reid*, said that the Government did not intend to oppose the resolution and promised to forward the report of the discussion to the proper authorities. Mr. Reid thought that Bengalis were not debarred entirely from military training, there being three units in the Province, open to them, namely, the Calcutta Battalion University Training Corps, Territorial Battalion, 19th Hyderabad Regiment and Dacca Company of University Training Corps.

Mr. *Banerji* assured the Government that, by admitting Bengalis to military service, there was great possibility of political unrest being appreciably diminished. It would go a long way in solving some of the problems with which the Province was faced.

OFFICIAL BILLS

27th. FEBRUARY :—Three official bills were discussed at the sitting of the Council to-day. The House passed the *Bengal Nurses Bill* and the *Presidency Small Cause Courts (Bengal Amendment) Bill* on the motions of the Hon’ble Mr. *R. N. Reid*, Home Member, while Sir *B. P. Singh Roy*, Minister, introduced the *Bengal Excise (Amendment) Bill*.

The object of the *Bengal Nurses Bill* was to provide for the registration of nurses, midwives and health visitors in Bengal and to secure their better training. With this object in view the Bill sets up a Council to be called “The Bengal Nursing Council” consisting of seventeen members.

The object of the *Bengal Excise (Amendment) Bill* introduced by the Minister was to bring Bakhar within the purview of the Excise Act. The words ‘any fermenting agent’ are preferred to the use of the word ‘Bakhur’ by name as the article in question was prepared differently and known by different names in different parts of the province. The Bill involved no question of policy. But it was pointed out that ‘Bakhar’ was a substance used as fermenting agent in the manufacture of ‘pachwai’

which was an alcoholic liquor. In the past, alarming number of cases were brought to light in which consumers of 'pachwai' were poisoned with fatal consequences, and this was traced to the presence of aconite administered through 'Bakhar' used in the manufacture of the drink.

GENERAL DISCUSSION OF BUDGET

28th. FEBRUARY :—An appeal to utilise the 'windfall from the Government of India' for rural reconstruction of the province was made to Government by non-official members of the Council to-day in the course of the general discussion of the budget. It was stressed that Bengal could not survive the present economic crisis and unless Government seriously made up its mind to adopt this course they would lose the last opportunity of rebuilding fair Bengal. While most agreed that terrorism must be crushed though it cost them half a crore of rupees, one thought in the countryside there was no terrorism which was confined to a few sentimental and demented youths and the remedy lay not in arming Government with more powers but in a change of policy. All the members congratulated the Government of India for remitting half the jute export duty to Bengal and hoped the full amount under this head would be restored to her in the near future.

Referring to the Government of India's proposal to allocate to the jute-producing provinces half the net proceeds of the jute export duty the *Finance Member*, Mr. Woodhead, made a statement saying that, while it would not be proper at the present stage to discuss the plan on the floor of the house, he felt sure all members would desire to express their gratitude to the Government of India. Mr. Woodhead also drew attention to the assurance given in the Finance Member's speech that it was intended that the proposal would be regarded as a full and final settlement of Bengal's financial position. "We welcome these statements because they assure us that the present proposal would not in any way prejudice further claims we have put forward in connection with the proposed new constitutional arrangements.

2nd. MARCH :—A plea for a change of policy with a view to creating calmer atmosphere in the country was put forward, in the course of the general discussion of the budget to-day. Declaring the present situation to be more economic than political, *Rai Bahadur K. C. Banerji* said that the fact that the Province having a deficit budget made provision for 52 lakhs for countering subversive movements was really deplorable. "It looks as if the whole nation would wither away under steam roller of law and order." He regretted that no constructive policy was hitherto followed in the country.

Khan Bahadur Azizul Huq said that the time had come when Bengal must have definite economic programme for rural welfare. The speaker was supported by other non-officials who spoke in the same strain urging improvement of nation-building department. The House then adjourned till the 5th.

Bengal Criminal Law Amend. Bill (contd.)

5th. MARCH :—On the motion of the Hon. Mr. R. N. Reid, Home Member, the Council proceeded to-day to consider the Bengal Criminal Law Amendment Bill, clause by clause, as reported by the Select Committee. There were three amendments for recommittal of the bill to the Select Committee, of which two made specific mention of dates, but after the House had refused the amendment of Mr. P. Banerji for simple recommittal by 86 votes to 16, the other two amendments were not pressed to a division and were declared lost.

Moving that the report of the Select Committee on the bill be taken into consideration, Mr. Reid explained the various changes made by the Select Committee, including the restriction made on imposition of capital sentence. He stressed that Government had entered upon this legislation not lightly, but after a very careful consideration of the situation and of the measures which, Government believed, that situation required. "The situation as regards terrorism is a grave one—grave not in the sense that there is immediate risk of widespread insurrection or of disorder on a large scale,—but grave as terrorism is still there, and that is shown by the fact that recruiting is still going on. Recruiting is going on with an eye, not so much for the immediate future, but for the remote future and specially that point of the future when it is expected the life of the special temporary measures dealing with terrorism will expire". It was for that reason, Mr. Reid said, that Government attached so much importance to the preventive sections of the Bill as well as to

those clauses which were intended to make the Acts of 1925 and 1930 dealing with this movement permanent. "I beg of the Council, however unpalatable they may be, to face facts, and in coming to a consideration of the bill, to look at it from the point of view of the safety of the State. In times of danger—and these are times of danger in Bengal—the interests of the State must over-ride the conveniences and the interest of the individual. For it is only in a stable and ordered State that the individual can have security of life and property."

AMENDMENTS

Moving as an amendment for the recommittal of the Bill, *Mr. P. Banerjee* enquired whether the State existed for the people or the people for the State. Surely the State existed for the people and that negated the argument of *Mr. Reid*. It seemed to the speaker that the real intention of Government was not to fight terrorism but the non-violent movement.

Dr. Anulya Ratan Ghose moved that the Bill be recommitted with instructions to submit the report by March 24. His intention was that if the bill was recommitted, the Select Committee would have the advantage of considering the bill in the light of public opinion since expressed in the country.

In the opinion of *Mr. Abdus Samad* the bill provided for treatment only of the outward symptoms, but it did not go down to the root of the disease. He would ask the House to ascertain the real cause of the disease and then to find out the remedy. He therefore moved that the bill be recommitted with the addition of the following members (*Mr. S. C. Roy Chaudhury*, *Mr. J. N. Basu*, *Maulvi Tamizuddin Khan* and *Maulvi Abdul Karim*) with instructions to submit the report by March 20.

As a member of the Select Committee, *Mr. N. K. Basu* supported the amendments. Replying to the previous speaker, he said that as a nominated member *Rev. Nag* had always voted with the Government and therefore there was no lack of duty on his part. His principal ground for supporting recommitment was that the time given to the committee for consideration was too short. The House asked the Committee to submit the report within 11 days and it was not possible for the Committee to consider an important bill like this within such an inadequate time. That the time was short, he said, was evidenced by the fact that even *Mr. Reid*, who had not signed a minute of dissent, had now tabled amendments. This conclusively demonstrated that he had no time to consider the matter properly in the committee.

Replying to the debate, *Mr. Reid* said that the Select Committee sat for a considerable period and went through the bill very carefully. No case, he submitted, had been made out for recommitment and he did not think the House as a whole would like that course.

THE DEATH CLAUSE

Mr. N. K. Basu moved for the deletion of the clause which provided for death penalty, transportation for life etc., under certain sections of the Arms Act. He pointed out that the punishment provided in the Arms Act of 1878 was three years which had been enhanced to transportation for life by the Bengal Amending Act of 1932. So the only new addition was the death penalty. But he could confidently say that no judge or body of judges trained on the lines of the English system of jurisprudence would inflict death penalty on a person who went armed or possessed firearms in circumstances indicating that he intended that the fire-arm would be used for the commission of an offence of murder. Discussing the trend of policy of the existing law, *Mr. Basu* said, the Indian Penal Code provided for death penalty in eight sections. In four sections death penalty was provided in the code where no human life was lost, namely, for waging war, inciting people and for causing hurt only in the case of life convicts. But in other sections the maximum penalty was provided only when human life was lost. It was therefore clear that the policy of the code which had stood the test of centuries was to inflict death penalty only in cases where a man's life had been lost. But in this bill they were inserting the death penalty, not when any murder had been committed, not when circumstances proved that the man armed with fire-arms intended to commit murder, but when circumstances indicated that the possessor intended that the unlicensed fire-arm should be used for the commission of the offence of murder. And it was difficult to prove the circumstances in such case. That being so, it was ridiculous to suggest that any judge worth the name would sentence a man to death for going with or possessing a pistol in such circumstances. This extension of law imposing capital

sentence, he contended, was unwarranted. So far as the deterrent effect on the terrorists themselves was concerned, they all knew and heard of instances where terrorists went about with a revolver in one hand and poison in the other. So far as they were concerned, they were not absolutely terrorised by death provision, and no case had been made out that these people were more afraid of death penalty than life sentence. It was a travesty of legislation to provide death penalty in circumstances such as this clause contemplated. Knowing well that the extreme penalty would not be inflicted by any judge and also being aware of the fact that such provision would only antagonise public opinion of all sections, Mr. Basu requested the Home Member not to persist in pressing for this clause, but to take note of the volume of public opinion expressed against this particular clause.

Mr. *J. N. Basu*, who had tabled an amendment to confine the sentence to transportation for life by deleting death penalty, said that if Mr. N. K. Basu's contention was right that the Amending Act of 1932 had already enhanced the sentence to transportation, he failed to understand why instead of inserting a few words extending the penalty to death the clause had recapitulated the entire punishment that might be given. This clause, as it stood, would be adding to the difficulty of law courts by inserting so many provisions which would confuse them. The discussion had not concluded when the Council was adjourned.

6th. MARCH :—By 68 votes to 28, the Council to-day rejected the motion of Mr. *N. K. Basu*, for deletion of the entire clause in the Bill providing enhanced punishment up to death for certain offences under the Arms Act. Following the defeat, the oppositionists moved for the deletion of the death penalty only from the clause, confining the sentence to transportation for life but this motion also was defeated by 59 to 20. The House however accepted the amendment of Mr. *W. H. Thompson*, leader of the British group, adding a fine in connection with these offences.

The supporters of the motion for deletion of the entire clause stressed the sanctity of human life, which, they said, should not be taken away so lightheartedly as the bill contemplated, even in cases where no murder was committed. Such a provision, they said, instead of acting as a deterrent on the terrorists who went about armed with a revolver in one hand and poison in the other would shock the civilised world and give a handle to the enemies of India's progress to resist further reforms on the plea that the situation in Bengal had come to such a pass that even the majority of elected members of the House thought it fit to insert such a drastic penalty.

Mr. *J. N. Basu* said that the proposal to sentence a man to death on circumstantial evidence was an extraordinary one. Without minimising the gravity of the situation for which, if the Government had not been alert, they would have been charged with remissness in their duty, Mr. Basu said that the reason why the countryside had not been affected was because of the work done by educational and other institutions in upholding law and order. The situation, difficult as it was, should not be made more difficult. It had been said that a measure like this might deflect some youths from the path of terrorism. But on the other hand encroachment on the ordinary liberties of the people might create an atmosphere of dissatisfaction with the policy of the Government, making it exceedingly difficult for those who stood up for peace and order. Provision of death penalty, he concluded, would only create a sense of irritation. He asked the Government to note that the spirit of discontent was growing deeper and that was a thing which would not be remedied by measures like this.

Mr. *Tamizuddin Khan* also supported the motion for deletion of death penalty from the clause. Other supporters of the motion included Dr. *Amulya Ratan Ghose*, Mr. *Abdus Samad*, *Kazi Emdadul Haque*, and Mr. *Shanti S. Roy*.

Replying to the debate, the Home Member, Mr. *R. N. Reid*, said the trail they were pursuing in this matter was the question whether death sentence should be inflicted in certain circumstances mentioned in the bill. It seemed to him singularly inappropriate to talk seriously of human life when they were dealing with a menace like terrorism. He then cited instances of the brutal murders of Mr. *Kamakhyia Sen*, deputy magistrate, while asleep and Mr. *Burge*, while playing football, and the raid on *Pahartali Institute* two years ago, proving that these people (terrorists) did not think of the sanctity of human life. Although he admitted that there were men who went out with pistol in one hand and poison in another, the Home Member asserted that they were not numerous and it, therefore, seemed there was

good chance and the capital penalty that lay at the back ground of the legislation might be deterrent to somebody who was perhaps on the border line of committing some terrorist crimes. The House then adjourned.

7th. MARCH :—The Council to-day defeated by 50 votes to 23 the motion of Mr. *N. K. Basu* for deletion of the entire clause in the bill providing for enhanced punishment, including death penalty, for certain offences under the Explosive Substances Act.

Another motion to delete the death sentence only from the purview of the clause was also rejected by 57 votes to 28, and the House adopted the clause in the bill providing this enhanced sentence for persons who make or have in their possession any explosive substance under circumstances indicating that the persons intended that such explosive substance should be used for the commission of any offence of murder."

Mr. *N. K. Basu*, moving his motion, said that it was not because terrorism was the background of this legislation that death penalty had been inserted but because in the forefront of Government idea of this legislation was terror. "Government see red all the time and that is why they feel the bill should be made red." Otherwise there was no reason why the death penalty should be deliberately inserted in cases where no murder had actually taken place.

Mr. *C. C. Miller*, on behalf of the British Group, said that this legislation had been brought forward, not because of the failure of the people of Bengal to do their duty in this respect. Leaders of the country had left the Government and the police to fight their battle alone against this menace.

Following a remark by the Home Member in reply to Mr. *P. Banerjee's* amendment seeking to substitute ten years in place of fourteen years' rigorous imprisonment for such offences that it was "waste of time", Mr. *Banerjee* retorted that the whole bill was "waste of time". The Home Member said that if the member thought so, he should not attend the Council. Mr. *Shanti S. Roy* said that unless the expression was withdrawn the Opposition would exercise its constitutional right and call for division on every amendment.

FREEDOM OF PRESS CURBED

Opposition was then concentrated in connexion with the further discussion of the bill to the clause in the Bill relating to the "publication of certain matters in the press. The clause in question gives power to the Local Government to prohibit publication in the press of "any class of information which, in the opinion of the Local Government, tends to create an atmosphere favourable to the gaining of adherence to the terrorist movement." The clause also empowers prohibition of names, designation etc., disclosing the identity of any witness in trials before special courts without the permission of the Commissioners or of the Special Magistrates or of the Local Government.

Mr. *S. C. Roy Chaudhury*, on behalf of the opposition, moved a motion for the deletion of the above clause which was, however, lost by 61 votes to 17. Another amendment to delete the first part of the clause with regard to the publication of news held to be objectionable by the Government was similarly negatived by a majority of 58 votes to 15.

The opposition view was that such legislation would curb the freedom of the press and was liable to abuse. They cited in this connexion the alleged interference with regard to the publication of the Division List in the press in connexion with the earlier discussion of the present Bill.

Replying to the debate, the *Home Member* said the clause was intended to prevent the kind of publication which held convict terrorists or terrorists under detention as persons praiseworthy who deserved sympathy of the general public. That was the sort of thing against which the clause was directed with a view to prevent the youthful mind being carried away into a kind of perverted hero worship.

8th. MARCH :— The question of the privileges of the press in the matter of publication of proceedings of the legislature was raised by Mr. *S. S. Roy* in connexion with the press clause by an amendment providing that the local Government shall not prohibit publication of proceedings or part thereof of the British Parliament, the Indian legislature and the local legislatures in India.

Replying, the Home Member, Mr. *R. N. Reid*, said the Government had no intention of taking these powers in order to prohibit the publication of these proceedings. But it seemed to him that the tabling of these amendments amounted to an

admission that the publication of proceedings of the legislatures might be used or could be used in such a way as to excite sympathy with the terrorist movement—the very thing that the Government was out to check. Government fully realized the privilege the members of the legislatures possessed within the walls of the House, but what they wanted to check was publication of these privileged utterances by an irresponsible press in such a manner as to poison the minds of young men. The Home Member added that it was very easy with all the tricks of the journalist's trade, by leaded headlines, by tactical juxtaposition, by omission and additions here and there, entirely to misrepresent statements made on the floor of the House in perfectly good faith and without the slightest intention that they should be used in the way 'we can see they may be used'. The Home Member opposed the amendment which was lost by 65 votes to 13.

Six divisions, all of which were negatived by a large majority, took place in connection with the resumption of discussion on amendments to the clause relating to the press. The strength of the Opposition varied from 16 to 21 and that of Government from 65 to 48.

After nearly four hours' debate the House accepted the clause relating to the press with certain modifications accepted by the Home Member, empowering Government to prohibit publication in any newspaper of any class of information which in the opinion of the local Government tends to excite sympathy with or secure adherence to the terrorist movement.

The House, also, accepted the second part of the clause which stated that neither the name nor designation, nor any words, signs or visible representations disclosing the identity of any witness in a trial before the special courts shall, without the permission of the commissioners or special magistrates or the local Government, be published in any newspaper.

OPPOSITION WALK-OUT

At 7 p. m. the deputy President, who occupied the chair, intimated that the House would sit till 8 p. m. when Mr. N. K. Basu, Opposition leader, pointed out that in the absence of previous intimation to sit late at night it would not be convenient for him to do so and he, followed by some Oppositionists, left the chamber. The clauses dealing with forfeiture of press security were passed in quick succession in their absence. Shortly after *Khan Bahadur Abdul Momen* having left the chamber with some Muslim friends, the deputy President adjourned the House.

NIGHT SITTING OF THE COUNCIL

9th. MARCH :—The Council had the unusual experience of having a night sitting at 9-30 o'clock, after it was adjourned at the usual hour in the evening. This unusual course was adopted to rush through the final stages of the Criminal Law Amendment Bill. The procedure is often adopted by the House of Commons, and was once followed by the pre-Reform Imperial Council, when the Rowlatt Bill was being rushed through. It sat up to midnight and the late Sir Surendranath Banerjee, who had the habit of going to bed early, protested vehemently against this unusual course.

Before adjourning at 7 p. m., the Council disposed of 40 amendments, all of which were defeated by a large majority. There were 130 amendments to be disposed of. An unsuccessful attempt was made to limit the life of the measure to five years, instead of placing it permanently on the statute book as contemplated by the bill. The non-officials opined that a measure like this would be a blot on the statute book and hamper the working of the new constitution. Replying to this, Mr. R. N. Reid, Home Member, found it difficult to see the close connection between the question of making this measure permanent and the new constitution as the measure was directed against the terrorist movement which, in his opinion, had no connection with the new constitution.

Resuming the session at 9-30 p. m. the Council sat till midnight disposing of 40 amendments in the course of which the non-officials challenged four divisions on their own amendments none of which were accepted and opposed two amendments moved by the Home Member which were ultimately carried by a substantial majority. Ultimately the House accepted the clause in the bill empowering a district magistrate to regulate the conduct and restrict the movements of persons under 21 years of age when they were suspected to have consorted with terrorist associations.

The House was discussing an amendment on the clause which provided realisation of fine from parents or guardians for disobedience of orders passed by the District Magistrate upon their wards in this connection when it was adjourned.

10th. MARCH :—The Council resumed discussion to-day sitting from 10-30 a. m. till 2 p. m., and had not finished consideration when it adjourned till 6-30 in the evening. Good progress was, however, made in the morning session, leaving only 24 amendments to be disposed of before the third reading took place.

The Oppositionists challenged four divisions, three on their amendments which were lost, and one on the amendment of the Home Member, which was carried.

With the assent of the Home Member, the House accepted certain amendments of the Opposition, the effect of one of which was to delete the provision from the bill which made special provisions for recording evidence in trials before special magistrates. The Council was discussing an amendment of the Home Member on the last clause of the bill providing penalty for possession of proscribed documents or literature encouraging people to commit murder and violence when it was adjourned till 6-30 in the evening.

Within half an hour of the sitting, the Opposition challenged a division on an amendment for deletion of the clause in the bill providing realisation of fine, from parents or guardians, imposed on their wards, who were on the border line of terrorism, for violating the orders restricting their movements. The amendment was lost by 48 votes to 17.

Opposing the amendment, the *Home Member* said that this provision afforded inducement to guardians or parents to exercise proper control over their wards if they knew that failure to do so would make them liable for fines imposed on their wards. It would thus bring home to guardians and parents their responsibility in the matter. It would also avoid the necessity of sending these youthful offenders to prison which was not desirable in such cases, if it could be avoided.

The original clause in the bill was carried without opposition.

DETENUS' ALLOWANCE

The House then accepted the amendment of the Home Member by 62 votes to 20, leaving the question of granting allowances to the family of detenus to the discretion of the local Government, in place of the unanimous recommendation of the Select Committee, making the payment of such allowances obligatory on the local Government.

It was stated by Mr. S. N. Roy, Addl. Secretary, Political Department, that by this amendment Government did not propose to reduce the allowances already made or to set up a different standard. But cases had occurred when members of a family of a detenus receiving such allowances from Government had been found to be taking part in subversive activities. And it was to deal with such cases that the power proposed was required. Following the motion of Mr. R. N. Reid, Home Member, for adoption of the Criminal Law Amendment Bill, Mr. J. N. Basu, Liberal Leader, opposing said that this measure was not the first of its kind to deal with the menace of terrorism. For several years past measures had been adopted by the Government to deal with the situation but it did not appear that the situation had been properly grappled with or the mischief to deal with which powers had already been taken by Government had been removed. If the past be any indication of what was going to happen in the future, then there did not appear much prospect of success of this extraordinary measure. On the other hand, the measure contained provisions which made large encroachments on the ordinary liberties of subjects, apart from affecting persons who were real criminals, with the result that it would create discontent in the land. What was wanted was that Government measures should not only try to meet the crime, the revolutionary danger, but should also try to create confidence and trust in the public mind, but it did not appear that any had been made to create that amount of public confidence.

Mr. Shanti Shekharewar Roy, supporting Mr. Basu, said that whatever might be the voting strength of the Hindu members of the House, the feeling of the Hindu community outside the House was totally against this measure. He hoped that the day would soon come when it would be impossible for a bureaucratic Government to pass such a "dark measure" through the Legislative Council, with a sitting of the Council in the dark hours of midnight. He did not know whether the Division List had not been allowed to be published in the Press at the request of those who supported the measure. But if that was so, he would leave it to the House to say whether there was free voting on this question.

Dr. N. C. Sen Gupta could only hope that the day would come when the pack of cards would be blown into the air and the "Wonderland" would disappear. But if that did not happen, he would ask the Home Member to make India his

own after he had retired and live under the administration of this Act in India and know what "Wonderland" it had produced. The Bill was ultimately passed by 61 votes to 16.

VOTING ON BUDGET DEMANDS

12th. MARCH :—The Council commenced discussion on the demand for budget grants and voted without a cut the entire sum of Rs. 36,84,000 for Land Revenue on the motion of Sir Charu Chander Ghose. About 90 motions were tabled either for reduction or refusal in connection with the demand of which only a few were discussed and lost without a division, while other cut motions were guillotined.

13th. MARCH :—The Council to-day voted in quick succession the entire demand of the Minister for Local Self-Government for Rs. 16,46,000 for Excise, of the Finance Member for Rs. 4,92,000 for Stamps and of Sir A. K. Ghuznavi, Leader of the House, for Rs. 7,87,000 for Forest, defeating a cut motion under the last head.

14th. MARCH :—The Council to-day passed the demands of the *Education Minister* for Rs. 17,16,000 for registration and of the Finance Member for Rs. 5000 for scheduled taxes defeating all cut motions. The House rejected by 45 to 21 votes a non-official cut in connection with the demand of the Irrigation Member for Rs. 30,30,000 for irrigation and had not concluded discussion when it adjourned.

15th. MARCH :—The Council to-day passed the demand of Sir A. K. Ghuznavi for Rs. 30,30,000 for irrigation and of the Finance Member for Rs. 1,000 for "interest on other obligations".

In connection with the demand of the Home Member for General Administration, the House rejected the motion of Kazi Emdadul Huq for reduction of the grant of Rs. 45,140 under the head "Staff and household of the Governor's band establishment" by Rs. 9,140. The House also negatived the motion of Mr. N. K. Basu urging reduction in the size of Executive Council. The same Member's cut motion, in which he stated the undesirability of appointing High Court Judges to Executive Council to fill vacancies was being discussed when the House adjourned.

16th. MARCH :—The Council to-day voted the entire demand of the Home Member for Rs. 98,14,000 for expenditure under the head General Administration. The House, without a division, rejected the cut motion of Mr. N. K. Basu, Leader of the Opposition, stressing the "undesirability of appointing High Court Judges to the Executive Council". Mr. N. K. Basu urged that such a course might impair the independence of the Judiciary in the minds of the public and the assistance, which such Executive Councillors might give to the Governor in political matters would be inadequate, because Judges, while on the Bench, were supposed to be not in touch with the political situation of the country.

Replying, the Home Member referred to the similar practice obtaining in other provinces and said that there was nothing to show that such appointments had either impaired the efficiency of the Bench or the Local Government had not received proper assistance from such members. He hardly believed that such appointments, which were not regular things and which were seldom made permanent, could really impair the efficiency of the Judiciary.

As regards the question whether retired High Court Judges could give adequate advice to His Excellency the Governor, the Home Member said that it was a fallacious argument to assume that a High Court Judge lived in a world of his own and he knew nothing of what was going on around him. After all, it stood to reason that an officer who had sat on the Bench, would bring to bear on all matters in his work as Executive Councillor his balanced judgment. As stated, the 'cut' motion was lost.

Two motions were moved in connection with the salaries of Ministers, one by Mr. N. K. Basu for a refusal of the demand of Ministers' salaries and the other by Mr. J. N. Gupta who suggested a 'cut' of Rs. 100. Mr. Basu prefaced by saying that his motion was an economic cut and he wanted Ministers to forego their salaries for the year, when the President remarked that it was doubtful whether the Government of India Act contemplated Ministers without salaries. Mr. Basu then withdrew his motion. Mr. Gupta then moved his 'token cut' saying that it was an economic cut, when the President explained the significance of his cut, which amounted to a vote of no-confidence. Mr. Gupta also withdrew his motion.

17th. MARCH :—The Council to-day voted the demand of Sir C. C. Ghose for Rs. 74,40,000 for Administration of Justice. The cut motion of Mr. N. K. Basu, the Opposition Leader, referring to "absence of High Court Judges" from court without leave, which Mr. Basu said was principally responsible for the accumulation of arrears of work, was lost without a division. Another cut motion by the same Member, criticising the revised scale of charges for the preparation of paper books in second appeals, was negatived by 43 to 36 votes.

19th. MARCH :—The House voted the *Home Member's* demand for grant of Rs. 43,08,000 for jails and convict settlement defeating the cut motion of Mr. S. S. Roy for discussing the treatment of detenus and political prisoners, by 63 votes to 14.

The question of appointing a board of non-official visitors from Bengal with a view to see the state of affairs obtaining at the Deoli Detention Camp was stressed by the non-official members during the discussion of Mr. S. S. Roy's token cut.

The *Home Member* said there was a board of local gentlemen who visited the Deoli Jail regularly and it was rather difficult to arrange for a board from Bengal to go there periodically. He added that every endeavour was made to see that the detenus got the kind of food they were accustomed to in this province.

The Police Department then came in for a good deal of adverse criticism at the hands of non-officials when Mr. R. N. Reid moved for the grant for police. Dr. Amulya Ratan Ghose pleaded for replacing European Sergeants by Indian Sergeants. He also alleged that police had been unable to check the Goonda activities. Syed Majid Baksh declared that more retrenchment should have been effected by reducing the pay and allowances of police officers. Mr. S. M. Bose called attention to the sole monopoly of non-Bengalis in the lower ranks of police services and urged preferential employment of Bengalis. He complained that it was not sufficient to say that there was no bar to the recruitment of Bengalis. Mr. Bose called attention to the Madras police efficiency and demanded that Bengal police should be manned by Bengalis. Discussion in the police budget was not over when the Council adjourned.

GOVERNMENT'S EDUCATION POLICY

20th. MARCH :—An official pronouncement on the educational aims of Government was made on the floor of the Council by Hon. Khwaja Nazimuddin, Minister of Education, in the course of the budget debate on education.

Moving that a sum of Rs. 1,08,45,000 be granted for Bengal, the Education Minister explained that the demand for 1934-35 exceeded the budget estimate for the preceding year by Rs. 1,39,000 but the present was not the time to embark upon schemes involving large expenditure. University grants remained substantially the same and grants to non-Governmental colleges were partially restored.

After referring to certain features of the budget, Mr. Nazimuddin said that, in his budget speech, last year he had dwelt at some length on two matters which were then novel, viz., partial introduction of the Primary Education Act into certain districts of Bengal and the establishment of a training centre for physical education in Calcutta. Both these schemes had progressed with complete success. From next month, district school boards would be established in certain districts of Bengal and the establishment of a training centre for physical education in Calcutta. Both these schemes had progressed with complete success. From next month, district school boards would be established in certain districts of Bengal and the control of primary education would virtually be transferred to them.

The Minister, continuing, referred to the Educational Conference held at Government House towards the end of last year. This Conference, he said, had reached general agreement on some controversial questions, particularly those relating to the appointment of a Secondary Education Board and the necessity of undertaking an educational survey of the province. It was true that the Government were thinking of introducing a bill for the improvement of secondary education in Bengal with a statutory board of secondary education, but there was considerable difference of opinion in the province on the question whether there should be one or two boards. During the course of discussions at the Conference, representatives of the Calcutta University in their individual capacity agreed that the entire control over secondary education might be handed over to the Secondary Board including the prescribing of syllabus and holding of the matriculation examination. This was a step in the right direction. The Secondary Board would be able to devote its entire time and attention to the improvement of secondary education in Bengal and the present dual control and its necessary disadvantages would be removed and the

entire system of education would be guided by one policy. A second resolution passed by the conference had dealt with an equally important question. It had requested the Government to take immediate steps for making an educational survey of the province. The basic principle underlying this resolution was equitable distribution of high schools throughout the province. One of the general reasons why secondary education in Bengal was getting a bad name was due to the fact that while, in some areas, there were too many schools, in others there were none.

Some people had deliberately misunderstood the Government and had been giving out that Government wanted to restrict their facilities for secondary education. Nothing was farther from the truth. The hope of the Government was that every high school should be an economically self-contained unit, teaching the maximum number of students and possessing adequate facilities and equipment and teaching staff. The Conference was of opinion that the only way to deal with this question was to have a survey made of the entire province. The Government hoped to take up this question in right earnest in the near future. At the present time of economic distress and stringency, it was not possible to find money for new schemes, but this was just the time to go ahead with the preparation of schemes, so that as soon as money was available, they could be put into effect without delay. Public opinion on this question must be strongly focussed with them as the task of amalgamation and abolition of existing high schools would be strongly resented by interested parties but the time had come when they had to face facts and drastic steps had to be taken for the improvement of the system of education in Bengal.

There was another important aspect of this question on which the Government were concentrating their attention, namely, the provision of some kind of vocational education at every stage, so that they might divert a number of young men who would find it more profitable to take up their specialised study or some kind of vocation, instead of going on with higher education. This would only restrict the number of those who would go up for higher education, but might also make employment easier.

21st. MARCH:—Resuming his unfinished speech on his motion for Education grant, Mr. *Khawaja Nazimuddin* adverted to the problem of education of women and girls. "It is singularly unfortunate," declared the Minister, "that this persistent demand from the other sex for more and better ways of education comes at a time when the purse strings of the Government must be held so tight, but we shall try our utmost to use our resources to the best advantage and to plan wisely for the future, when money may not be so hard to get." Government, he said, contemplated having an advisory board of women to advise them as to the way they should proceed in regard to the problem of female education. Continuing, Mr. *Nazimuddin* laid stress on concentration of Government's attention on training of teachers of both sexes. He expressed the hope that the educational needs of Bengal from all points of view would be met by the Government as soon as finances improved.

Maulvi Tamizuddin Khan, by a cut of Rs. 100, protested against the proposal to drop university reform and amendment of the Calcutta University Act. He charged Government with succumbing to interested agitation and putting off every necessary reforms in the direction. He charged the Calcutta University with imparting an education which did not help young men to stand on their own feet and help them to start life. He opined that without vocational education of some sort, the purpose of University education would be lost. The speaker asked the Education Minister if Government intended doing anything real or substantial in the direction of reforming the University. He complained that the various communities had not been properly represented on the University and urged that the University must be of a national and not communal character.

Mr. A. F. Rahman averred that the Calcutta University education did not come up to the level expected by the people. He found the University guilty of failure exercising any control over its constituent college. Mr. Rahman, recalling the arguments put forward at the Government House Education Conference of November last, emphasised that Calcutta was becoming over-crowded and urged that the Government and the University should think of locating colleges outside the city. He also drew attention to the lack of co-ordination between colleges in post-graduate study.

Mr. Shyamaprasad Mukherjee (Calcutta University) explained the attitude of the University and declared that the University had always been anxious to effect

reform, but could not do so without legislative action. As regards the Secondary Education Board. Mr. Mukherjee said that the University was at once with Government, but asked why Government had been holding up papers in this connection for over five years. He referred to the Government House Conference of last November and recalled that the University had made it clear that it had no objection to the proposed Board, but wanted a compensatory grant. For himself, he wished the reform to be effected quickly, because the present dual control was a nuisance. Mr. Mukherjee declared that it would be ridiculous to expect them to solve difficulties and problems which had defied distinguished educationists for years. It was impossible for the University, constituted as it was, to effect reforms in all directions as it had to deal with Secondary, University and Post-Graduate education. Mr. Mukherjee laid stress on the need for Bengali being made the medium of instruction and held that, however beautiful it might be, English was, after all, a foreign language to them. The need of the hour was not so much the reorganisation and democratisation of the University (important as the question was) as the need for spending a larger amount of educational expenses in Bengal. As regards communal representation, Mr. Mukherjee declared that 90 per cent of the students in the University were Hindus and only 12 per cent Mahomedans. Was it to be wondered that Hindu representation was larger? He ridiculed the criticism regarding the so-called communal character of the University and told Mussalmans to pay to the University as generously as Hindus.

Maulvi Aziz-ul-Haque declared that, proud as he was of his *alma mater*, he ought to say that the entire Muslim community had no confidence in it. He complained that Islamic study and culture did not loom large in the curricula, although many years had gone by since Muslims had urged their claims in this behalf. If Muslims had not contributed largely to the University Funds, it was because the University did not cater to their needs.

Dr. Naresh Chandra Sen Gupta deprecated the communal turn given to the debate and declared that the question was not one of communal representation, but of efficient education. He would not be satisfied with piecemeal reforms.

After a few more speeches, including one by the Minister, who expressed his sympathy for the demand to effect reforms, the entire grant was put and agreed to.

22nd. MARCH :—The Council to-day voted the demands of *Sir B. P. Singh Roy*, Minister for Local Self-Government for Rs. 41,42,000 for Medical and Rs. 35,86,000 for Public Health and was discussing the demand of *Nawab K. G. M. Farouqi* for Rs. 21,87,000 for Agriculture when the House adjourned.

In connection with the grant for Public Health, *non-official members* by a 'token cut' urged the Minister to fight for more funds under the head and if necessary float a loan to carry on the activities of the department with a view to ensuring better health in the Province. After some discussion the cut motion was withdrawn and the original demand was voted.

Replying to a cut motion, *Sir B. P. Singh Roy* assured the House that the Government were fully alive to the seriousness of the problem and doing its utmost under the present circumstances. In fact, he added, during the last ten years the Public Health grant had nearly doubled its amount.

23rd. MARCH :—"The shyness of the Bengal Bhadralog youths to take to industrial career is gradually wearing off and even graduates are coming forward in large numbers to receive industrial training", stated *Nawab K. G. M. Farouqi*, Minister, when the demand for Rs. 11,33,000 under the head Industries was passed.

The Minister added, since the operation of the scheme, 404 youths received practical training, 156 having found employment. The House voted Rs. 21,87,000 for agriculture and Rs. 82,82,000 for civil works.

The *Finance Member's* demand for Rs. 2,17,000 for miscellaneous departments was also sanctioned. An ambitious programme for covering the whole of Bengal with a network of highways was announced by *Sir B. P. Singh Roy*, Minister, in reply to a cut motion calling attention of the Government to the policy of distribution of money to the Road Development Board. The House at this stage adjourned till the 24th. March, when after passing the remaining budget demands it adjourned *sine die*.

THE MADRAS LEGISLATIVE COUNCIL

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RAJU GARU.

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- 2 AHMED MEERAN. MOULVI HAFEEZ
ANUMANTHAKUDI MUSTAFA
- 3 ALAGANNAN CHETTIYAR, RAO
SAHIB A. S.
- 4 ALAMELUMANGA THAYARAMMA,
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- 5 ANNAMALAI CHETTIYAR, S. A. A.
- 6 APPADURAI PILLAI, DIWAN
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- 16 BRACKEN, C. I. E., I. C. S. THE
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- 17 BROCK, C. B. E., V. D., C. H.
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SAHIB C.
- 32 JONES, I. C. S., C. E.
- 33 KESAVARAMAMURTI NAYUDU, K.
- 34 KHALIF-UL-LAH SAHIB BAHADUR,
KHAN BAHADUR P.
- 35 KOLANDA REDDI, RAI SAHIB C.
- 36 KOTI REDDI, K.
- 37 KRISHNIAH CHOUDARY, P. V.
- 38 KRISHNAMURTI, RAO BAHADUR D.
- 39 KRISHNAN AVARGAL, C.
- 40 KRISHNASWAMI AYYAR, KT.,
DIWAN BAHADUR SIR ALLADI
- 41 KUMARA RAJA OF VENKATAGIRI
(RAJA VELUGOTI SARVAGNYA
KUMARAKRISHNA YACHENDRULA
VARU)
- 42 KUMARASWAMI REDDIYAR, THE
HON. DIWAN BAHADUR S.
(*Minister*)
- 43 KUPPUSWAMI CHOUDARI, J.
- 44 LADDEN, W. W.
- 45 LAKSHMANA REDDI, G.
- 46 MADANAGOPAL NAYUDU, R.
- 47 MAHARAJA OF VENKATAGIRI (SRI
RAJA VELUGOTI SIR GOVINDA
KRISHNA YACHENDRULA VARU)
- 48 MAHBOOB ALI BAIG
- 49 MANIKKAVELU NAYAKAR, M. A.
- 50 METHERELL, J. K.
- 51 MILLAR, W. H.
- 52 MOIDOO, KHAN BAHADUR, T. M.
- 53 MOSES, P. C.
- 54 MUHAMMAD MEERA RAVUTTAR,
K. P. V. S.
- 55 MUNISWAMI PILLAI, RAO SAHIB
V. I
56. MUNISWAMI NAYUDU, DIWAN
BAHADUR B.
- 57 MURUGAPPA CHETTIYAR, DIWAN
BAHADUR A. M. M.
- 58 MUTHIAH CHETTIYAR, M. A.
- 59 MUTHU CHETTIYAR, RAO BAHADUR
P. C.
- 60 NACHIYAPPA GOUNDER, K. A.
- 61 NADIMUTHU PILLAI, A. PL. N. V.
- 62 NANJAPPA, SUBADAR-MAJOR, S. A.
- 63 NARASA REDDI, T.
- 64 NARASIMHASWAMI, RAO SAHIB
D. V.
- 65 NARAYANAN NAMBIYAR, V. P.
- 66 NARARYANASWAMI PILLAI, RAO
BAHADUR T. M.
- 67 NATESA MUDALIYAR, RAO BAHADUR
C.

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| <p>68 PALAT, R. M.
 69 PANNIRSELVAM, THE HON. RAO BAHADUR A. T.
 70 PARTHASARATHI AYYANGAR, C. R.
 71 PATNAIK MAHASAYO, SRIMAN M. G
 72 PATRO, RAO BAHADUR SIR A. P.
 73 PATTABHIRAMAYYA, K.
 74 PATTAGAR OF PALAYAKOTTAI.
 75 PEDDI RAJU, P
 76 POCKER, B.
 77 PREMAYYA, G R,
 78 RAJAGOPALA PILLAI, P V.
 79 THE HON. RAJA OF BOBILI (SRI RAVU SWETACHALLAPATHI RAMAKRISHNA RANGA RAO) (<i>Minister</i>).
 80 RAJA OF KALLIKOTE (RAJA SRI RAMACHANDA MARDIA RAJA DEO)
 81 RAJA OF PARLAKIMEDI (SRI SRI SRI KRISHNA CHANDRA GAJAPATHI NARAYANA DEO).
 82 RAJAN, THE HON, MR. P. T. (<i>Minister</i>)
 83 RAMACHANDRA PADAYACHI, P K.
 84 RAMACHANDRA REDDI, THE HON. MR. B. (<i>President</i>)
 85 RAMAKRISHNA REDDI, A.
 86 RAMALINGAM CHETTIYAR, RAO BAHADUR T. A.
 87 RAMAMURTI, RAO SAHIB PANDIT GANALA
 88 RAMAN MENON, K. P.
 89 RAMASAWAMI AYYAR, T. S
 90 RAMASWAMI MUDALIYAR V. M.
 91 RANGANATHA MUDALIYAR, A.
 92 RANGANATHA MUDALIYAR. G.
 93 RANGANATHA MUDALIYAR, M. D. T.
 94 RANGASWAMI REDDI, M. B.
 95 RATNASABHAPATI MUDALIYAR, DIWAN BAHADUR C. S.
 96 SAHAJANANDAM, SWAMI A. S.
 97 SWAMI VENKATACHALAM CHETTI
 98 SCHAMNAD, KHAN BAHADUR MAHMUD
 99 SENGODAIYAN, I. C. S., S G.
 100 SESA REDDI, RAO BAHADUR B. P.</p> | <p>101 SHETTY, A. B.
 102 SIMHACHALAM PANTULU, G.
 103 SINGAM AYYANGAR, K.
 104 SIVA RAJ, RAO SAHIB N.
 105 SIVASUBRAHMANYA AYYAR, K. S.
 106 SOUNDARA PANDIAN, W. P A.
 107 SRESTA, M. S
 108 SRINIVASA AYYANGAR, T. C.
 109 SRINIVASAN, RAO BAHADUR R
 110 SRIRAMULU, G.
 111 STOKES, THE HON. SIR HOPE-TOUN,
 112 SUBBARAYAN, DR. P.
 113 SUBRAHMANYA CHETTI, RAO SAHIB P.
 114 SUBRAHMANYA BHATT, U C.
 115 SUNDARA RAO NAYUDU, T.
 116 SYED TAJUDIN, KHAN SAHIB
 117 THANGAL, P. M
 118 THOMAS DANIEL
 119 THORNE J. A.
 120 VASUDEVA PILLAI, V G
 121 VEDACHALA MUDALIYAR, M.
 122 VENKATACHALA REDDIYAR, K. C. M.
 123 VENKATARAMA AYYAR, K. R.
 124 VENKATAREDDI NAYUDU, THE HON. RAI BAHADUR SIR K,
 125 VENUGOPAL NAYUDU, RAO BAHADUR R. K.
 126 VISWANATHA RAO, DIWAN BAHADUR V. N.
 127 YAHYA ALI, KHAN BAHADUR
 128 YAKUB HASAN
 129 ZAMINDAR OF BODINAYAKKANUR (T. V. K. KAMA RAJA PANDIA NAYAKAR).
 130 ZAMINDAR OF CHEMUDU (SRI VYRICHERIA NARAYANA GAJAPATI RAJU).
 131 ZAMINDAR OF KIRLAMPUDI : (SIR RAJA RAVU RAMAKRISHNA RANGA RAO).
 132 ZAMINDAR OF MIRZAPURAM (MIRZAPURAM RAJA ALIAS VENKATARAMAYYA APPA RAO).
 133 SMITH, W. ERLAM
 133 KRISHNASWAMI AYYAR, K. V.
 135 JAVAD HUSSAIN, KHAN BAHADUR</p> |
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Proceedings of the Council

BUDGET SESSION—MADRAS—19th. FEBRUARY to 24th. MARCH 1934

The Budget Session of the Madras Legislative Council opened at Madras on the 19th. January 1934, under the presidency of Hon. Mr. Ramchandra Reddi. At question time *Sir Mahomed Usman*, Home Member, stated that the Government had issued a circular to the effect that, while Government servants should put no obstacle in the way of Mahatma Gandhi's tour and should do nothing to interfere with non-officials who wished to welcome Mahatma Gandhi or show sympathy for the cause of Harijan uplift their participation in meetings and demonstrations in connection with his visit was improper.

BUTTERMILK TO PRISONERS

20th. JANUARY :—That all 'C' class prisoners in jail should be given buttermilk as part of the their diet, was the demand repeatedly made by non-official members in the Council to-day.

Answering a question *Sir M. Krishnan Nair*, Law Member, stated that the Government had passed orders to the effect that buttermilk would not be included in the diet of 'C' class prisoners. The Government, however, had not stated their reasons for coming to that conclusion in the order, but had plenty of reasons for the same. One of the reasons was that the number of civil disobedience prisoners on whose behalf alone this demand had been made had fallen considerably in number at the end of 1933, being roughly about 160.

A series of supplementary questions followed replying to which *Sir Krishnan Nair* stated that if the number of civil disobedience prisoners increased the Government would consider the question again.

REVENUE REMISSION

31st. JANUARY :—In spite of official opposition, the Council after a full day's discussion carried this evening, by 59 votes to 21, the non-official resolution recommending the Government to grant 25 per cent remission in the existing rate of assessment on all 'ryotwari' lands irrespective of wet or dry in the presidency during the 'fasli' 1343.

The *Revenue Member* opposing the motion referred to the remissions already granted to ryots as was necessary to relieve them from economic depression. He observed that Government would be setting a bad precedent if they allowed a high standard of concessions. Reorganisation of trade and proper marketing of commodities, he opined, might improve the conditions of agriculturists and added that special provisions were made for the relief of those who suffered from cyclone and floods. The Council then adjourned till the 21st. February.

BUDGET ESTIMATES PRESENTED

21st. FEBRUARY :—*Sir Hopetoun Stokes* was cheered when he announced in the Council to-day in the course of his budget speech that the revenue estimates for 1934-35 would close with a surplus of Rs. 4,46,000 and the Government proposed to retain this in their hands against unforeseen demands. The revised estimates for 1933-34 were expected to close with a small surplus of Rs. 61,000.

Referring to the proposal for reintroduction of cut in salaries the Finance Member observed that the Government had not seen their way to accept the suggestions which had been urged not only in the Council but in the press as the Government had given a pledge that the measure was an extraordinary and exceptional one adopted in the presence of financial difficulties so great as to amount to a national emergency, that it was a temporary expedient to which recourse would be had only so long as it was absolutely necessary and that relief from cut in salaries would take the first place when improvement in the finances should render this possible.

GENERAL DISCUSSION OF BUDGET

23rd. FEBRUARY:—The general discussion on the budget commenced in the Council to-day. Speakers generally criticised the Government for not reimposing the salary cut on Government servants and complained of inadequacy of relief given to ryots. The *member from Coimbatore* who initiated the discussion complained taxation and wasteful expenditure. The taxation in this province, he said, had never been limited to its needs and always been in excess of requirements. He suggested appointment of a small expert committee with experienced persons like Sir Norman Marjoribanks to do work on the lines of the Thomas Committee in Bombay to effect improvement in administration and retrenchment in expenditure. The *member from South Canara* pleaded for a well laid out plan for economic development of the province and urged the Government to see to it that the tax-paying capacity of the people was developed.

24th. FEBRUARY:—General discussion of the Budget was resumed to-day. Mr. J. K. Metherell, European Constituency, said that the financial position of the province did not warrant reimposition of salaries cut of the provincial and subordinate staff. Mr. Basheer Ahmed complained that the money realised through articles such as silver, silk, etc. smuggled from the French territory adjoining Madras presently filled the coffers of the Government of India, while it ought to be credited to the account of the Madras Government.

The *Raja of Parlakemedi*, while congratulating the Finance Member for presenting a balanced budget with a small surplus, felt that the relief granted to ryots was inadequate and suggested re-imposition of protective tariff and regulating prices with a view to help agriculturists in realising reasonable return for their produce.

8th. MARCH:—A proposal to change the hours of meeting of the Council from 2 p. m. to 6 p. m. was made by a non-official member to-day during the discussion of certain draft amendments to the standing orders of the Council as modified by the select committee of the House.

Dr. Subbaroyan, leader of the Opposition, supporting, said that the change would facilitate party work. Most of the mofussil members were opposed to the change as unsuitable. Mr. F. Birley, leader of the European group, welcomed the change but preferred the hours being fixed between 6 and 10 in the morning as that would suit the members of the business community.

Sir Mahomed Usman, leader of the House, said that as there was no unanimity among the non-official members regarding the hours of sitting, the best time to effect a change would be when the new Council came into existence.

The amendment was lost without division.

MADRAS CO-OPERATIVE SOCIETIES AMEND. BILL

19th. MARCH:—The Council passed to-day without any discussion the bill further to amend the Madras Co-operative Societies Act, 1932, sponsored by the Minister of Development. The bill provided for carrying on the normal work of co-operative societies and preventing stagnation during the period of supercession.

GRIEVANCES OF POLITICAL PRISONERS

20th. MARCH:—Despite repeated replies from the Government that after careful consideration they had decided that the supply of buttermilk to "O" class prisoners was not necessary, the question was again raised to-day in the Council by a cut motion when the Jail grant was under discussion.

A strong plea was also made for the release of Mr. P. Narayana Menon, a Moplah rebellion prisoner, who, it was pointed out, had been in jail for fourteen years. One member said that the Law Member should secure his release even as an act of grace before he laid down his office.

A member from Malabar said that the jail administration of the province was far behind other civilised countries. Condemning the system of convict warders he said that in no other country in the world such a system existed.

The Law Member having replied the cut motion was withdrawn.

The Council then passed the entire budget demand for police administration amounting to Rs. 1,52,94,100.

Sir Mahomed Usman, replying to the criticisms of the police administration, said that if he defended the police activities during the time of civil disobedience, it was because he was convinced that the police were in the right.

Referring to a plea for the abolition of the Malabar special police as a measure of retrenchment, the Home Member said that this could not be done in view of the circumstances under which it was established.

EDUCATION AND COMMUNALISM

22nd. MARCH :—"If India was to be a united nation, her children to whatever community they belonged should be taught in common schools, and separate schools should not be demanded", said Dr. *Subbarayan*, the Opposition leader, supporting the Champion Scheme relating to consolidation and concentration of elementary education, which was opposed by some members of the minority communities, during the discussion on education grant to-day. The speaker hoped that the Minister would not yield to the clamour of oppositionists in regard to the scheme.

Sir *A. P. Patro* said that unless the spirit of communalism and compartmentalism was buried and unless they be imbued with the spirit of nationalism, the future reforms would not be a success. The speaker thought that the Champion Scheme of education was unworkable to rural areas.

The *Raja of Bobbili*, Chief Minister, replying said that Government were of opinion that the Champion Scheme ought to be given a fair chance, and in doing so the interests of no community should be sacrificed. He added that the proposal to amend the elementary Education Act was under consideration of the Government, and one of the provisions of the Bill was for the Government to take power in education of particular areas. The entire demand was voted.

CO-OPERATIVE LAND MORTGAGE BANK BILL

23rd. MARCH :—The House passed without division the third reading of the Bill to facilitate working of co-operative land mortgage banks in the Presidency. The Bill provided long term loans to owners of lands to enable them to discharge their debts and to carry out agricultural improvements and other like purposes thereby promoting thrift and self-help among them. The Local Government guarantee interest payable on debentures issued by the Central Land Mortgages Bank.

The House voted supplementary grants of both reserved and transferred departments of the Government aggregating to nearly four lakhs.

GOVERNOR ON WHITE PAPER

24th. MARCH :—The announcement of the extension of life of the Madras Council by one year from November next and an appeal to the hon. members and public generally to view the White Paper proposals and base their judgment on them as a whole and not piecemeal were the chief features of the Governor's address to the Council this afternoon. Regarding the extension of life of the Council the Governor said : 'Owing to the uncertainty of the situation as regards when the Reforms will come into operation I have decided that the hon. members of this Council and the presidency generally shall not be subjected to expense and disturbance that a general election must necessarily entail and the life of this Council will be extended by one year from November next'.

Turning to the White Paper he said : 'I intend to make only one reference to the White Paper which I consider to be *sub judice* at the moment. It is of course easy to pick out a sentence here and a proposal there and by these means condemn it. But I would ask the hon. members and the public generally to view the proposals and base their judgment on them as a whole and not piecemeal.'

Among the other matters touched by his Excellency was the appointment of an officer on special temporary duty from March 1 to study rice trade in the presidency to collect information and accurate data on the various points connected therewith. The materials collected by this office will be useful to the provincial marketing officer and the marketing board which the Government propose to appoint early next financial year. His Excellency hoped it would thus be possible to effect substantial improvement in the marketing of agricultural produce and minimise thereby the effect on the agriculturist of the recent severe fall in prices and also aid the general economic recovery of the province.

After the Governor's address the House proceeded to discuss the budget demands.

Vigorous protests were entered especially by the Catholic Christian members against the Government giving aid for birth control methods when the *Chief Minister* moved for Rs. 23,90,000 for public health grant which was fully made after which the remaining items of the budget were put from the chair and passed. The Council was then *prorogued*.

THE BOMBAY LEGISLATIVE COUNCIL

LIST OF MEMBERS

- | | |
|---|--|
| 1 ABDUL LATIF HAJI KHAN, KHAN BAHADUR | 34 GAZDER, MR. MAHOMED HASHIM |
| 2 ACHREKAR, MR. ATMARAM BHIMAJI | 35 GHULAM HYDER SHAH SAHIB-DINO SHAH, MR. |
| 3 ALLAHBAHSH WALAD KHAN SAHEB HAJI MAHOMED UMAR, KHAN BAHADUR | 36 GHULAM NABI SHAH MOUJALI SHAH, KHAN BAHADUR |
| 4 AMBEDKAR, DR. B. R. | 37 GILDER, DR. MANCHERSHA DHANJIBHAI |
| 5 AMINUDDIN, MR. SAIYID | 38 GOKHALE, MR. LAXMAN RAGHUNATH |
| 6 ANGADI, RAO BAHADUR S. N. | 39 GOVER RORA, MR. |
| 7 ARBUTHNOT, MR. C. W. E. | 40 GRAVES, MR. J. B. |
| 8 ASAVALE, RAO BAHADUR RAMCHANDRA SANTURAM | 41 HUMPHREY, MR. JOHN |
| 9 BAKHALE, MR. R. R. | 42 JAM JAN MAHOMEDKHAN <i>walad</i> JAM MAHOMED SHARIF, SARDAR BAHADUR |
| 10 BANGI, MR. ABDUL KADIR JAMALUDDIN | 43 JAN MAHOMED KHAN <i>walad</i> KHAN BAHADUR SHAH PASSAND KHAN, KHAN BAHADUR. |
| 11 BAXTER, MR. N. B. | 44 JITEKAR, MR. HAJI IBRAHIM |
| 12 THE HONOURABLE SIR SHAH NAWAZ KHAN GHULAM KHAN BHUTTO (<i>Minister for Local Self-Govt.</i>) | 45 JOG, MR. VISHWANATHRAO NARAYAN |
| 13 BHUTTO, MR. WADERO NABIBUKSH | 46 JONES, MAJOR W. ELLIS |
| 14 BIJARANI, KHAN BAHADUR SHER MUHAMMAD KHAN KARAM KHAN | 47 KALBHORE, RAO BAHADUR GANGAJI RAO MUKUNDRAO |
| 15 BIRADAR, SARDAR MAHABOOBALI KHAN MOHAMED AKBAR KHAN | 48 KALE, RAO BAHADUR RAOJI RAMCHANDRA |
| 16 BOLE, RAO BAHADUR SITARAM KESHAV | 49 KAMAT, MR. B. S. |
| 17 BULLOCKE, MR. ALFRED GUY GREVILLE | 50 THE HONOURABLE DEWAN BAHADUR SIDDAPPA TOTAPPA KAMBALI (<i>Minister for Agriculture</i>) |
| 18 CHIKODI, MR. P. R. | 51 KARBHARI, MR. MANCHERSHAW MANEKJI |
| 19 CHITALE, RAO BAHADUR GANESH KRISHNA | 52 KHUHRO, KHAN BAHADUR MUHAMMAD AYUB SHAH MUHAMMAD |
| 20 CLAYTON, MR. H. B. | 53 KNIGHT, MR. H. F. |
| 21 COLLACO, DR. J. A. | 54 KULKARNI, RAO SAHEB PANDURANG DNYANESHWAR |
| 22 COUSENS, MR. H. J. M. | 55 MADAN, MR. J. A. |
| 23 DAULATRAO JAYRAMRAO ZUNZARRAO, MR. | 56 MADHAVSANG JORBHAI, MR. |
| 24 DEHLAVI, THE HONOURABLE SIR ALI MAHOMED KHAN, (<i>President</i>) | 57 MATCHESWALLA, MR. GULAM-HUSSAIN EBRAHIM |
| 25 DESAI, RAO SAHEB BHAGWANDAS GIRDHARDAS | 58 MAXWELL, MR. R. M. |
| 26 DESAI, MR. HANMANTRO RAM RAO | 59 MEHERBAKSH, KHAN BAHADUR S. |
| 27 DESAI, MR. SHANKARAPRA BASALINGAPPA | 60 MEHTA, MR. MANILAL HARILAL |
| 28 DHALUMAL LILARAM, MR. | 61 MITHA, MR. MAHOMED SULEMAN CASSUM |
| 29 DIXIT, DR. M. K. | 62 MODAK, REV. R. S. |
| 30 D'DOUZA, DR. JOSEPH ALBAN | 63 MODI, SARDAR DAVAR TEMURAS KAVASJI |
| 31 FREKE, MR. C. G. | |
| 32 GANGOLI, MR. GANAPATI SUBRAO | |
| 33 GARRETT, MR. J. H. | |

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| 64 MORE, MR. JAYAWANT GHANA-SHAM | 89 SHAIKH ABBUL AZIZ ABDUL LATIF, MR. |
| 65 SARDAR RAO BAHADUR BHIMABHAI RANCHHODJI NAIK | 90 SHAIKH ABDUL MAJID LILARAM, MR |
| 66 NAMDEORAO BUDHAJIRAO, MR. | 91 MR. RAMCHANDRARAO BAPURAO SHINDE |
| 67 NAVLE, RAO BAHADUR NAMDEV EKNATH | 92 SMART, MR. W. W. |
| 68 OWEN, MR. ALBERO CLIFFORD | 93 SMITH, LIEUT. COLONEL HARRY CYRIL |
| 69 PANJABI, MR. K. L. | 94 SOLANKI, DR. PURUSHOTTAMRAI G. |
| 70 PARULEKAR, RAO BAHADUR LAXMAN VISHNU | 95 SOMAN, MR. R. G. |
| 71 PATEL, KHAN BAHADUR ALIBHAI ESBHAI | 96 SURVE, MR. A. N. |
| 72 PATEL, MR. BHAILAL SARABHAI | 97 SURVE, MR. VYANKAT ANANDRAO |
| 73 PATEL, MR. CHATURBHAI NARSHIBHAI | 98 SYED MIRAN MAHOMED SHAH ZANULABDIN SHAH |
| 74 PATEL, KHAN BAHADUR WALI BUKSH ADAMBHAI | 99 SYED MUHAMMAD KAMIL SHAH KABUL MUHAMMAD SHAH, KHAN BAHADUR |
| 75 PATIL, DEWAN BAHADUR DONGARSING RAMJI | 100 SYED MUNAWAR, MR. |
| 76 PATIL, MR. NARAYAN NAGOO | 101 TALPUR, KHAN BAHADUR HAJI MIR ALLAHADAD KHAN |
| 77 PATIL, RAO SAHEB VAMAN SAMPAT | 102 TALPUR, MIR BANDEHALI KHAN MIR MAHOMEAD HASSAN KHAN |
| 78 MR. VITHAL NATHU PATIL | 103 THAKOR OF KERWADA, SARDAR BHASAHEB ALIAS DULABAWA RAISINGHJI |
| 79 PRADHAN, RAO BAHADUR GOPAL RAO VAMAN | 104 TOLANI, MR. SATRAMDAS SAKHAWATRAI |
| 80 PRATER, MR. S. H. | 105 TURNER, MR. C. W. A. |
| 81 RAFIUDDIN AHMAD, MOULVI SIR | 106 VAISHAMPYAN, DR. VISHNU GANESH |
| 82 MR. HOOSENALLY MAHOMED RAHIMTULA | 107 VAKIL, PESHTANSHAH N., MR. |
| 83 RAJADHYKSHA, MR. G. S. | 108 VANDEKAR, RAO BAHADUR RAMCHANDRA VITHALRAO |
| 84 RESALDAR, MR. ABDUL RAHMAN KHAN KARAM KHAN | 109 WADKE, MR. BHOLANATH PURUSHOTTAM |
| 85 SAHEBSINHJI JUNANSINHJI, MR. | 110 WINTERBOTHAM, MR. G. L. |
| 86 MR S. D. SAKLATVALA | 111 L. R. TAIRSEE |
| 87 SERVAI, MR. A. E. | 112 VACANT |
| 88 SHAH ROOKH YAR JUNG BAHADUR | |

Proceedings of the Council

BUDGET SESSION—BOMBAY—19th. FEBRUARY to 23rd. MARCH 1934

GOVERNOR'S OPENING SPEECH

A strong appeal for co-operation between the Legislative Council and the Government was made by His Excellency the Governor in his opening speech at the budget session of the Bombay Legislative Council which commenced at Bombay on the 19th. February 1934.

His Excellency said that he was indeed fortunate in assuming office in a greatly improved political atmosphere. This, His Excellency regarded, as a vindication of the policy adopted in the past and expressed appreciation of the fact that the Council accorded its support to the Government in adopting that policy. He hoped that with the increasing spread of more sober and sensible political ideas the Bombay Emergency Powers Act would soon cease to be alive except in name.

Expressing grave concern at the continuance of economic depression and its effect on the resources of cultivators, the Governor said that the Government had been carefully studying the question and ensuring that district officers should keep them in closest possible touch with the position in the district.

After reviewing the political, economic and financial conditions, His Excellency said that with the improvement that had taken place in the situation it had been possible to discern some signs that those who had formerly supported subversive methods of political agitation were now applying their minds to their future programme as members of a political party within the proposed new constitution. He believed that this Council favoured what was described as the White Paper policy and strongly urged them to come out in definite and open support of that policy which was one of the best calculated to ensure progress on sound lines.

Financial Statement for 1934-35

After several lean years and deficit budget it is a matter of gratification to find that the Bombay Government have succeeded in balancing their budget for 1934-35, the general depression notwithstanding. The budget estimates presented by the Finance Member to the Council disclose that the Government had not only balanced their budget but made provision for a small surplus of Rs. 70,000 (income Rs. 1522.8 lakhs, expenditure Rs. 1522.1 lakhs, balance Rs. 70,000). This position, according to the Finance Member, is entirely owing to heavy retrenchments and improved revenue receipts.

The current year's final budget estimates have provided for a revenue deficit of Rs. 28 lakhs and no provision has been made for payment of debt. This position has been improved by nearly Rs. 44 lakhs as a result of combination of the Government's retrenchment policy and improvement in revenue receipts. Consequently, on the basis of information available upto the end of January, the revised estimate provided for a surplus after payment of the debt instalment to the Government of India due in the current year (Rs. 11 and a half lakhs). Retrenchments to the extent of Rs. 40 lakhs were effected in the total expenditure.

The estimates of land revenue and irrigation receipts, says the Finance Secretary in his introductory note, have been framed after taking into account the probable effect on the next year's collections of cold weather in December and January to the extent of 8 lakhs reported upto the end of January. There may be some additional loss of revenue on account of recurrence of frost towards the end of January, reports regarding which have not been received when the budget estimates were prepared.

Sir *Ghulam Hossain Hidayatullah*, Finance Member, struck an optimistic note, presenting the budget estimate for 1934-35 and said that he was in a happier position than his predecessor in that he was able to inform the House that the Government had every reason to hope that the current year's accounts would show a small surplus and the budget would be a balanced one.

One of the disturbing factors, the Finance Member said, was that the mill industry in the city was experiencing grave difficulties and the condition of the industry must always have serious reactions upon the general prosperity of the presidency. In addition there was evidence of a powerful trend towards diversion of cotton and other trades from the port of Bombay to other trading centres and this again, unless checked, would have its effect on their revenues.

GENERAL DISCUSSION OF BUDGET

20th. FEBRUARY:—Discussion on the budget in the Council was opened to-day by *Rao Bahadur Kale*, leader of the Opposition, who described the budget as neither a good one for achievement to the credit of the Finance Member. He deplored that the present grades in provincial services were enhanced in 1933 on a promise of reduction when the prices went down. But despite a tremendous fall in prices that was not done.

Rao Bahadur Bhimabhai R. Naik and *Mr. B. S. Patel* also criticised the budget as unsatisfactory and disappointing. *Mr. Jehangir Petit* said that the budget was essentially a deficit budget wrongly described as a surplus one in view of the proposed re-enactment of the Finance Act, 1932, involving Rs. 20 lakhs as additional taxes and continued imposition of road tolls of Rs. 8 lakhs.

21st. FEBRUARY:—*Mr. W. G. Lely* (Bombay Chamber of Commerce) opening to-day's budget discussion severely criticised continuance of emergency taxation, termi-

nation of which was definitely promised last year. He deplored the levying of road tolls and electricity duty particularly. The Bombay Chamber of Commerce, he said, was determined to see that these two obnoxious and anti-diluvian forms of taxation were discontinued.

Mr. *R. R. Bakhale* representing labour said that the Government should pause and consider why despite profuse protection Bombay's textile industry was in a bad plight. Thousands of workers had been rendered workless and yet the millowners' profits were *nil*. The only remedy, therefore, in his opinion lay in the eventual nationalisation of the cotton textile industry.

Sir Ghulam Hussain Hidayatullah :—Will millowners agree?

Mr. *R. R. Bakhale* :—You will have to make them agree. If Indian railways could be nationalised, he saw no reason why the textile industry could not be.

22nd. FEBRUARY :—Strong criticism of the Government's decision to continue emergency taxation, condemnation of levy of road toll, attack on the Government excise and educational policies, demand for immediate action to relieve agricultural distress and measures to counteract the evil of increasing diversion of trade from the port of Bombay to that of Bhavangar which was threatening to wipe out Bombay's position as the premier port of India and exhortation to the Government to take prompt measures to rehabilitate the languishing cotton textile industry of Bombay on whose prosperity depended the well-being and prosperity of the city were the main features of some of the speeches made by the members of the Council to-day when the general discussion on the budget proposals was concluded.

Major W. Ellis (nominated European) stressed the necessity to take prompt measures to check diversion of trade from Bombay port which, he said, was threatening the very existence of Bombay as the premier port in India. He also urged immediate attention of the Government to the mill industry which was gradually languishing.

Mr. *M. K. Dixit* (Surat district) criticised the Government's excise policy and said that they had gone back on their previous decision to pursue the "dry" policy.

Mr. *Mohammad Suleman Mitha* (Bombay city) emphasized the urgency of taking prompt measures to check the menace of diversion of trade from Bombay and urged as a first step immediate abolition of town duty on cotton. He suggested an enquiry by an expert committee into the affairs of the port trust with a view to reducing their charges.

Mr. *J. B. Greaves* (Bombay Chamber of Commerce) contended that the continuation of road toll heavily told on agriculturists and, therefore, urged its abolition.

Syed Miran Mohammad Shah (Sind) deplored that the Government of Bombay like other provincial Governments had not come out with constructive suggestions and measures to relieve distress among agriculturists. He urged the Government to take immediate action.

Khan Bahadur Cooper, Minister for Local Self-Government, justifying the continuation of tolls, said that at the conference in Poona of representatives of district and local boards an agreement was not reached and the local bodies objected to the abolition of tolls as that would encroach on their statutory powers. However, he assured the House that the Government were having under their consideration a proposal to relieve districts and it would be announced shortly.

Diran Bahadur Kampli justified the Government's excise and educational policies and said that they were doing their utmost to improve matters.

Sir Ghulam Hussain Hidayatullah, winding up the debate, said that the various interests represented in the Council had suggested the abolition of particular taxes but he asked the House how the Government would carry on if all the suggestions were carried out. He reminded the House that the Government this year had balanced the budget and had not brought forward proposals for additional taxation. In conclusion, he hoped the House would pass the budget.

Mr. *R. D. Bell*, Home Member, in the course of his reply to criticisms raised by certain members regarding the continuance of emergency powers said that the operations under the Special Powers Act of 1932 were of twofold nature—one was action by punishment and the other preventive action.

In 1932 prior to the operation of the Special Powers Act there were nearly 13,000 convictions under the Ordinances and other Penal Acts. Over 8,000 of them took place in the first four months of that year and the rest during the remaining eight months. At the end of the year the number of persons still in jail was a

little less than 4,000. The number of civil disobedience prisoners reached a maximum by the end of June, 1932, when it was over 7,000 but at the end of that year, however, the number was 3,939. In 1933 the convictions numbered 1,900 as against 13,000 in the previous year. By the end of January last it fell still further to 877.

With regard to preventive measures before the Special Powers Act came into existence, at the end of 1932 the number of restrictive orders still in force was 1,084 out of over 2,000 issued. In 1933 the number of new orders issued was 579. Proceeding, the Home Member referred to the promise made by his predecessor at the time of passing the Special Powers Act that the Government would carefully review the orders issued. A special review by the Government had the effect of cancelling 202 restrictive orders. This number was exclusive of those modified by the Government. As a result of a statutory review 256 more orders were cancelled. Thus it would be seen that 458 orders had been cancelled by the Government at those two reviews. The actual reduction to date was considerably greater. At the end of January last despite issue of 579 new orders the total number had fallen from 1,084 to 652 so that the total cancellations up-to-date were over a thousand.

In conclusion, the Home Member said that the situation in the presidency had been brought under control but the sting was still there and therefore the Government had to keep emergency measures.

SIND ENCUMBERED ESTATES AMEND. BILL

23rd. FEBRUARY:—The Council took up non-official Bills to-day. *Mr. S. S. Tolani's* Bill to amend the Sind Encumbered Estates Act was lost after a considerable discussion. All Sind members opposed the Bill and speeches generally followed communal lines. The Bill was intended to shift the final appellate power in suits relating to Encumbered Estates from the Commissioner to the District Judge.

The Hon'ble *Sir Ghulam Hussain Hidayatullah*, Leader of the House, vehemently opposed the Bill taunting those who, during three days' budget discussion, claimed to be friends of the agriculturists and yet supported the Bill which was calculated to tighten the money-lender's grip on agriculturists.

Government opposing it, the Bill was lost without a division.

THE RENT CONTROL BILL

Mr. R. R. Bakhle moved the Bill relating to rents of premises in Bombay Presidency. He had not concluded his speech when the Council adjourned.

24th. FEBRUARY:—Discussion on *Mr. R. R. Bakhle's* Rent Control Bill in the Council was enlivened by the production of a petition signed by Bombay tenants supporting the Bill and by *Mr. J. B. Petit*, representative of the millowners, who vehemently opposed the motion, on the ground of interference of rights of private individuals. He said: "Can you impose arbitrary restrictions on the right of private individuals and obstruct normal operation of the laws of supply and demand." Nominated non-officials supported the motion. Discussion followed the traditional *Leiszez-faire* versus State control lines. Discussion had not closed when the House adjourned.

BOMBAY TEXTILE INDUSTRY

An important announcement touching the textile industry which may have a far-reaching effect on the future of the working classes was made by *Sir Ghulam Hussain Hidayatullah* in the Council to-day. He said that the Government had decided to institute an inquiry through the labour office to ascertain the following facts:—(a) the extent of reduction of the wages of cotton mill worker since Jan. 1 1926: (b) whether the reduction was uniform in each centre (c) whether the cost of living of the working classes had fallen, and if so, to what extent; (d) the average rise and fall in wages in various centres; (e) the reasons of the effected or contemplated reductions; (f) the extent of rationalization, for example, 'efficiency schemes' introduced and the effect thereof on the wages and conditions of work of operatives; and (g) the extent of unemployment and causes.

Sir Ghulam Hussain said that it was desirable that the fullest possible information be obtained and made available to the public. The Government had instructed the labour office to make special investigation after considering the evidence, written or oral, submitted by the interests concerned.

The announcement preceded Mr. *R. R. Bakhle's* motion of adjournment to consider the Sholapur situation which, therefore, fell flat and failed to secure permission to proceed with discussion for want of a requisite number of backers.

THE FINANCE BILL

The *Finance Member* then moved the first reading of the Finance Bill. Referring to the electricity duty, he said that companies declaring 10 or 12 per cent dividends deserved no concessions. After discussion the Council passed the first reading of the Bill. Earlier in the day, Mr. *Humphrey*, European member, had tabled an amendment to the bill suggesting to the Government to abolish the town duty on the import of cotton into the city but dropped his amendment finding that he had not required support for his amendment.

27th. FEBRUARY :—Before the Council adjourned to-day it passed demands for supplementary grants, including a grant of Rs. 1,066 for flood relief which the Government spent anticipating the sanction of the Council. A sum of Rs. 750 was granted for expenses of the Regional Committee formed to select Bombay's works of art etc., in India Society's Exhibition in London of Modern Indian Art. There was a breeze in the Council during the discussion of a supplementary grant for the staff engaged in recovering co-operative societies dues from debtors.

Rao Bahadur *G. K. Chitale* objected to the use of the phrase "false statement" by Mr. *N. E. Navle* and demanded withdrawal which Mr. Navle refused. Mr. Chitale persisting Mr. Navle said: You say a certain statement is right. I say it is false and can prove it is false".

The President intervened and said that the expression was unparliamentary.

Mr. Navle withdrew, substituting the word 'incorrect.'

The Finance Bill was passed without division.

VOTING ON BUDGET GRANTS

28th. FEBRUARY :—The budget grants and motions for their omission or reduction were considered in the Council to-day.

Rao Bahadur *B. R. Naik* expressed disapproval of Governments' policy regarding *takavi* loans and moved a reduction of expenditure under 'loans and advances by Government' to the extent of Rs. 1,000. The motion, however, was rejected.

Another motion which caused a keen discussion was Mr. *M. H. Gazdar's* motion to omit Rs. 63,825 earmarked for the staff which is looking after and trying to sell the Sukkur barrage machinery that is now unnecessary. Mr. *Gazdar*, *Sheikh Abdul Majid*, *Syed Miran Shah* Mr. *Mohammad Shah*, *Khan Bahadur Allah Bakhsh*, Sind Members and several members of the nationalist benches deplored continuation of expenditure on the staff which the Government gave an undertaking to disband last year. After the reply of the *Home Member* the house divided and the cut motion was defeated by 39 against 25 votes.

2nd. MARCH :—Mr. *B. S. Kamat's* (nominated non-official) adjournment motion discussing the Government of India's budget proposals so far as they relate to Bombay and the treatment meted out to this presidency, was passed unanimously by the Council. Mr. Kamat said Bombay was worst hit by the duty on sugar, the industry here being differently situated from Bihar and U. P. where there is a scramble for investment in sugar. The excise duty on matches was imposed to help Bengal which seemed to be the 'favourite child.' Actually Bengal had behaved badly ever since the introduction of reforms. Law and order cost more there and terrorism continued and Bengal was the 'naughty child'. It was wrong to penalise Bombay for her goodness.

Mr. *W. G. Lely*, chairman of the Bombay Chamber of Commerce (European), supported the motion though disagreeing with some arguments of the previous speaker. 'I disapprove of the suggestion that this House is jealous of the windfall to Bengal.' But Bombay had her own difficulties and her balanced budget was more superficial than real. The cotton trade was threatened by other ports and the situation would be delicate if the town duty was removed as it must be.

Mr. *Petit* (Bombay millowners) said that 19 million matches were manufactured in India of which half were in Bombay. Bengal was not the only province in difficulties, but Bombay made no attempt to reduce the difficulties that the deficit created for them.

Mr. *Hooseinally Mahomed Rahmattulla* said that God helped those who helped themselves, but the Government of India helped those who did not help themselves.

Calcutta was no longer the capital, yet the Government was not immune from Calcutta influences which was proved by the Government of India's sanction of the terminal tax in Calcutta and its rejection in Bombay.

Mr. N. E. Navle, Rao Bahadur G. K. Chitale, Mr. R. P. Bakhale and Mr. P. K. Chikodi also spoke. The Finance Member merely said that the Bombay Government would forward the debate to the Government of India with their own comments.

3rd. MARCH :—The Council continued discussion of the budget grants to-day, the Government's policy regarding Irrigation department and construction works coming in for considerable criticism.

Mr. M. H. Gazdar, supporting Rao Bahadur B. R. Naik's Rs. 1,000 cut from the demand of Rs. 48,13,000 for construction of irrigation works, referred to the continued excessive expenditure on Sukkur Barrage.

On the Home Member's assurance that Government and that in fact they had less money than needed, the House allowed Mr. B. R. Naik to withdraw his motion.

Rao Saheb P. D. Kulkarni moved a cut of Rs. 100 from the demand for Rs. 6,19,000 for unproductive irrigation works, but the motion was lost.

Syed Mohammed Miran Shah opposed the total demand to avail of the opportunity to discuss the condition of zamindars in Sind.

7th. MARCH :—Strong criticism of Government's policy in regard to Sind P. W. D. was made by Mr. M. H. Gazdar (Karachi city) who moved a token cut of Rs. 19,70,000 under the head Civil Works (Provincial). The mover pointed out that even if his cut motion was accepted there would still remain a balance of Rs. 14,83,000 which was quite sufficient for the administration of P. W. D. of Sind. Further he said that in the pre-Barrage days expenditure under this head varied between Rs. 11 and 12 lakhs yearly. Besides this the volume of work had remained the same to-day and facilities for inspection and scientific regulation of work had increased. Hence on the old scale the P. W. D. staff should be able to turn out more work than before. On the other hand at present the expenditure had increased by nearly $2\frac{1}{2}$ times. He demanded immediate reduction of excessive extravagance in the P. W. D. staff. In conclusion he suggested that it was high time that the "war veterans", namely, engineers and other emergency staff employed during the construction of the Barrage were now disbanded.

The Finance Member said that Government was reducing the P. W. D. establishment from time to time. Even in next year's budget there was a provision for the reduction of expenditure to the extent of Rs. 200,000. The discussion had not concluded when the House adjourned.

9th. MARCH :—Great satisfaction with the attitude of the Government towards labour problems was expressed by several non-official members to-day.

Mr. P. R. Bakhle suggested that a machinery should be set up by Government with the object of settling disputes between the employers and the employees.

The Government's policy towards mill strikes was deplored by Dr. Vaishampayan.

Dr. Solanki opined that if the present policy continued the workers would imbibe ideas of communism which would ultimately prove disastrous.

The viewpoint of the millowners was voiced by Mr. J. B. Petit (representative of Bombay millowners) who pointed out that he was in full sympathy with some of the suggestions put forward by the Opposition. However, it was only under the stress of financial stringency and the industrial crisis that the millowners had unwillingly reduced the wages. In his opinion at present such a cut was not only absolutely necessary, but also overdue.

Mr. R. D. Bell (Home Member) replying to the criticism against Government's policy said the Government's attitude towards labour questions was to give free scope as far as possible to the employers and the employees to settle the disputes among themselves. Referring to the establishment of a machinery to deal with problems relating disputes between capital and labour, the Home Member stated that there was no necessity of such a department as the relations between the workers and the millowners were more cordial than before. As regards the proposed enquiry into the conditions of the textile industry undertaken by Government, Mr. Bell made it clear that it would not attempt to interfere in any way with the relations between the labourers and the millowners.

14th. MARCH :—The Council concluded its discussions on the budget grants to-day. A keen debate took place on the question of land revenue. Several non-official members pointed out that since the prices of agricultural commodities had fallen considerably during the past three years, the rate of assessment should be revised and not kept at the present level. Some members also urged upon Government the desirability of radically amending the provision of the Land Revenue Code. Mr. *M. M. Karbhari* blamed the Government for not doing anything substantial for the agriculturists. *Sheikh Abdul Majid* insisted upon the revision of rates of land revenue assessment on some equitable basis. Mr. *M. H. Gazdar* emphatically demanded legislation on the lines of the Punjab Land Alienation Act. He said all this was urgently required if the peasantry was to be saved from turning into Bolsheviks or dangerous dacoits. Mr. *J. H. Garrett*, Commissioner, Northern Division, denied the suggestion that the position of the farmers was seriously bad. Mr. *G. S. Gangoli* said that in 1932 Government had promised remission of 4 annas in the rupee but so far they had not fulfilled their promise.

Sir *Ghulam Hussain Hidayatullah*, Revenue Member, replying to the debate referred to the amending of the provision of the Land Revenue Code and said that the present Council was not fully representative. It was mainly composed of landholders. The reformed council under the new constitution will take up legislation wherein with wider franchise all sections of the public will be represented. As regards the reduction in the land revenue he pointed out that its advantage went to the landlords and only petty fractions went to the cultivators, the real tillers of the soil. He appealed to the House not to be moved by selfish interests. In conclusion, he admitted that Government had known that the prices had gone down and 'so we have given liberal remissions to the agriculturists'. The House then adjourned.

DUAL CONTROL OF SCHOOLS

15th. MARCH :—The dual control of the secondary schools by the Government and the Bombay University was the subject of an interpellation in the Council to-day.

The *Minister for Education* in his reply admitted that dissatisfaction had been expressed in some quarters regarding this dual control of the secondary schools. As regards the Government's intention to remove the cause of discontent by doing away with the system of dual control, the hon. Minister drew the attention of the House to the report of the director of public instruction for 1932-33, who had commented upon this question as follows: 'The University exerts considerable influence over the course followed in secondary schools through its matriculation examination. It also registers schools for this examination and a school applying for registration is inspected by a special committee appointed by the University for the purpose in order to ascertain whether it is fit to be registered. It may be questioned whether this inspection by a committee of the University is necessary and whether it would not be better for the University to register all schools which have been recognised by the Education department.'

In conclusion, the Minister pointed out that Government saw no reason to doubt that the University would co-operate with them in improving the present system.

THE MINISTRY CRITICISED

16th. MARCH :—The present Ministry of the Bombay Government was severely criticised by several members of the Council to-day when *Rao Bahadur Chitale's* motion to present an address to the Governor praying that early steps be taken to reconstitute the Ministry in a manner which will be in consonance with the spirit of the Montagu-Chelmsford Reforms, as the appointment of the present Ministers was made from a small group and as those appointments were not likely to carry weight and were not in the best interests of the Presidency, came up for discussion.

Rao Bahadur Chitale pointed out that the spirit of joint responsibility had not grown among the Ministers since the introduction of the Montagu-Chelmsford Reforms and the responsibility of individual Ministers depended upon the strength of the communal groups joining together. More often than not, the Ministers had to rely on official benches for support. This showed the desirability and the necessity for appointing the best men who had ability to deal with their colleagues in an effective manner. He deplored that, during the last six years, Ministers had encouraged the communal outlook and ignored pressing political problems. Further, the present Ministers were not leaders of popular opinion, possessing their own views and having courage and influence to force their views on the Government.

On the contrary, they gave valuable assistance to the Government and only carried out official behests.

Mr. J. B. Petit, supporting the motion, deplored that the present Ministers never gave a lead to the House towards the goal of Self-Government.

Sir Ghulam Hussain, Leader of the House, refuting the charges against the Ministers, said that it was no fault of the Government if Hindus could not combine and asserted that the present Ministry enjoyed the confidence of a majority in the House and worked in a spirit of joint responsibility. The motion was rejected.

TOWN DUTY ABOLITION BILL

19th. MARCH:—The Bill abolishing the Town Duty on Cotton, which was introduced by the *Finance Member* to-day, went through all stages in 2 and a half hours and was passed into law.

The *Finance Member*, moving the first reading of the Bill declared: "I hope the abolition of the Town Duty will bring prosperity not only to the City of Bombay but to the whole presidency". He pointed out that by agreeing to the step the Government were sacrificing revenue of about 10 and a half lakhs. He hoped that the action of the Government would meet with universal satisfaction. He concluded that this measure would give relief to trade, industry and the agriculturists.

Several members on behalf of the Municipal Corporation said that already the finances of the Municipality were in a dilapidated condition and with the abolition of the Town Duty, they would find themselves in a very difficult position. They appealed to the Government to grant either a subvention or some other sources of revenue to meet the deficiency.

Mr. J. B. Petit (Bombay Mill-owners) supporting the Bill considered it to be an act to give relief to agriculturists. However, he trusted the Government would not impose additional taxes with the object of meeting the deficiency made by the abolition of the Town Duty. Mr. A. V. Surve, opposing the measure, moved that the first reading of the Bill be postponed till the next day. This was, however, rejected by the House. Khan Bahadur Khuro pleaded that the Government should help agriculturists in Sind in a similar manner. Mr. Lely (Chamber of Commerce) supporting the Bill, pointed to the diversion of both export and import trades of Bombay to Kathiawar Ports and its resultant effects on the revenues of the Government of India.

After the reply of the *Finance Member*, the first reading was put to vote and carried by the House, only one member dissenting. Within the next 15 minutes the second and third readings of the Bill were passed by the House. The law came into operation from April 1st.

20th. MARCH:—The Council passed to-day the official Bill officially designating "untouchable classes" as the word "Untouchable" was stated to be offensive.

GOVT. SERVICE FOR BACKWARD COMMUNITIES

23rd. MARCH:—The Council was prorogued by the Governor to-day. Prior to adjournment a resolution tabled by Dr. Solanki recommending to the Government that so long as suitable candidates from amongst the backward communities possessing the minimum requisite qualifications for Government posts were available, no recruitment should be made from other advanced communities whose quota percentage has reached or is above the ratio laid down to any posts in the several departments of the Government, was rejected by the House, the Government benches opposing. Dr. Solanki pointed out that backward communities included more than eighty per cent of the population of the presidency but all Government services were monopolised by Brahmins and other advanced classes who formed only 12 per cent of the population. Mr. Abdul Majid Sindhi regretted that his community was not getting justice and that the Indianisation of the services was being carried by Government at a slow pace.

Sir Ghulam Hussain Hidayatulla, Finance Member, said that the Government had every sympathy with the aspirations of backward communities and assured the House that they were doing their best for them. He pointed out that the vexed questions of the composition of the services was an All-India one.

When the motion was put to vote it was lost by 25 votes to 33, official members opposing. The Council was then prorogued.

THE U. P. LEGISLATIVE COUNCIL

LIST OF MEMBERS

- 1 THE HON'BLE SIR EDWARD BLUNT
(*Finance Member*)
- 2 THE HON'BLE KUNWAR JAGDISH PRASAD (*Home Member*)
- 3 THE HON'BLE NAWAB SIR MUHAMMAD YUSUF (*Minister for Local Self-Govt.*)
- 4 THE HON'BLE SIR JWALA P. SRIVASTAVA (*Minister for Education*)
- 5 MR. J. M. CLAY
- 6 MR. J. L. SATHE
- 7 MR. P. MASON
- 8 MR. P. M. KHAREGAT
- 9 MR. A. A. WAUGH
- 10 MR. L. S. WHITE
- 11 MR. A. H. MACKENZIE
- 12 RAI BAHADUR PANDIT SURAJ DIN BAJPAI
- 13 RAI BAHADUR MR. PHUL CHAND MOGHA
- 14 KHAN BAHADUR SAIYID AINUD-DIN
- 15 KHAN BAHADUR SAIYID ABDUL HASAN
- 16 MR. E. F. OPPENHEIM
- 17 MR. H. A. LANE
- 18 MR. D. L. DRAKE-BROCKMAN
- 19 MR. R. F. MUDIE
- 20 MR. S. T. HOLLINS
- 21 LADY KAILASH SRIVASTAVA
- 22 KHAN BAHADUR MAULAVI FASIH-UD-DIN
- 23 CAPTAIN K. O. CARLETON
- 24 MR. E. AHMAD SHAH
- 25 RAI SAHIB BABU RAMA CHARANA
- 26 MR. PERMA
- 27 RAI BAHADUR BABU AWADH BEHARI LAL
- 28 RAI BAHADUR BABU KAMTA PRASAD KAKKAR
- 29 CHAUDHURY RAM DAYAL
- 30 CHAUDHURI JAGARNATH
- 31 THE HON'BLE SIR SITA RAM
(*President*)
- 32 CHAUDHURY BALDEVA
- 33 RAI SAHIB SAHU JWALA SARAN KOTHIWALA
- 34 MR. TAPPURAM
- 35 PANDIT MOTILAL BHARGAVA
- 36 RAJA BAHADUR KUSHAL PAL SINGH
- 37 CHAUDHRI RAM CHANDRA
- 38 CHAUDHRI GHASITA
- 39 RAI BAHADUR CHAUDHRI RAGHU-RAJ SINGH
- 40 CHAUDHRI ARJUNA SINGH
- 41 RAO BAHADUR THAKUR PRATAP BHAN SINGH
- 42 RAO SAHIB THAKUR SHIVA DHYAN SINGH
- 43 RAI BAHADUR KUNWAR GIRWAR SINGH
- 44 PANDIT JOTI PRASAD UPADHYAYA
- 45 CHAUDHRI DHIRYA SINGH
- 46 RAO KRISHNA PAL SINGH
- 47 RAI BAHADUR KUNWAR DHAKAN LAL
- 48 THAKUR BALWANT SINGH GAHLOT
- 49 RAI BAHADUR MR. BRIJ LAL BUDHWAR
- 50 RAO BAHADUR KUNWAR SARDAR SINGH
- 51 RAI BAHADUR BABU MANMOHAN SAHAI
- 52 BABU RAM BAHADUR SAKSENA
- 53 LALA SHYAM LAL
- 54 RAI SAHIB BABU KAMTA NATH SAKSENA
- 55 KUNWAR JAGBHAN SINGH
- 56 THAKUR KESHAVA CHANDRA SINGH
- 57 MR. BRIJNANDAN IAL
- 58 RAO NARSINGH RAO
- 59 RAI SAHIB RAM ADHIN
- 60 MR. BHONDU RAM
- 61 MAHARAO RAJA BAHADUR RAM SINGH RAO BAHADUR
- 62 CHAUDHURI BHAROS
- 63 PANDIT SHRI SADAYATAN PANDE
- 64 RAJA SRI KRISHNA DUTTA DUBE
- 65 RAI BAHADUR BABU JAGADEVA ROY
- 66 MR. DAHARI
- 67 RAI SAHIB RAI RAJESHWARI PRASAD
- 68 BABU ADYA PRASAD
- 69 RAI BAHADUR THAKUR SHIVAPATI SINGH
- 70 THAKUR GIRIRAJ SINGH
- 71 PANDIT PREM BALLABH BELWAL
- 72 THAKUR JANG BAHADUR SINGH BISHT
- 73 SARDAR BAHADUR THAKUR NARAYAN SINGH NEGI

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| 74 PANDIT BRAHMA DUTT BAJPAI
ALIAS BHAIYA SAHIB | 100 HAJI M. NISARULLAH |
| 75 RAI BAHADUR THAKUR HANU-
MAN SING | 101 KHAN BAHADUR SAIYID ZAHID
ALI SABZPOSH |
| 76 RAI BAHADUR LAL SHEO
PRATAP SINGH | 102 KHAN BHADUR SHAIKH GHULAM
HUSSAIN |
| 77 KUNWAR DIWAKAR PRAKASH
SINGH | 103 KHAN BAHADUR HAFIZ GHA-
ZANFARULLAH |
| 78 THAKUR MUNESHWAR BAKHSH
SINGH | 104 KHAN BAHADUR SAIYID JAFER
HOSAIN |
| 79 THAKUR JAINDRA BAHADUR
SINGH | 105 KHAN SAHIB SHAIKH AFZAL-UD-
DIN HYDER |
| 80 RAJA JAGDAMBIKA PRATAP NARA-
YAN SINGH | 106 KHAN BAHADUR MAULVI
MUHAMMAD FAZL-UL RAHMAN
KHAN |
| 81 RAJA AMBIKESHWAR PRATAP
SINGH | 107 KHAN BAHADUR SIRDAR MUHAM-
MAD SHAKIRDAD KHAN |
| 82 RAJA BIRENDRA BIKRAM SINGH | 108 KHAN SAHIB MUHAMMAD IMTIAZ
AHMAD |
| 83 RAI BAHADUR KUNWAR SUREN-
DRA PRATAP SAHI | 109 RAJA SAIYID MUHAMMAD SA'DAT
ALI KHAN |
| 84 MR. C. Y. CHINTAMANI | 100 SHAIKH MUHAMMAD HABIB-
ULLAH |
| 85 RAI RAJESHWAR BALI | 111 RAJA SAIYID AHMAD ALI KHAN
ALVI |
| 86 MR. ZAHUR AHMAD | 112 RAJA SIR MUHAMMAD EJAZ
RASUL KHAN |
| 87 SYED ALI ZAHEER | 113 RAJA SAIYID MUHAMMAD MEHDI |
| 88 KHAN BAHADUR MR. MUHAM-
MAD ABDUL BARI | 114 MR. L. M. MEDLEY |
| 89 SYED YUSUF ALI | 115 RAI BAHADUR LALA ANANDA
SARUP |
| 90 KHAN BAHADUR MUHAMMAD
MAQSUD ALI KHAN | 116 RAI BAHADUR LALA BIHARI LAL |
| 91 KHAN BAHADUR SHAH NAZAR
HUSAIN | 117 CHAUDHRI MUHAMMAD ALI |
| 92 CAPTAIN NAWAB MUHAMMAD
JAMSHED ALI KHAN | 118 THAKUR RAMPAL SINGH |
| 93 NAWABZADA MUHAMMAD LIA-
QUAT ALI KHAN | 119 RAJA BISHESHWAR DAYAL SETH |
| 94 HAFIZ MUHAMMAD IBRAHIM | 120 RAJA JAGANNATH BAKHSH SINGH |
| 95 MR. MUHAMMAD RAHMAT KHAN | 121 MR. TRACY FRENCH GAVIN
JONES |
| 96 KHAN BAHADUR HAJI MUHAM-
MAD OBAIDUR RAHMAN KHAN | 122 RAI BAHADUR BABU VIKRAMAJIT
SINGH |
| 97 KHAN BAHADUR MUHAMMAD
HADIYAR KHAN | 123 MUNSHI GAJADHAR PRASAD |
| 98 KHAN BAHADUR HAFIZ HIDAYAT
HUSAIN | 124 LALA MOHAN LAL SAH |
| 99 KHAN BAHADUR MAULVI SAIYID
HABIBULLAH | 125 MR. RADHEY SHIAM RASTOGI |

Proceedings of the Council

BUDGET SESSION—LUCKNOW—15th. FEBRUARY to 23rd. MARCH 1934

U. P. AGRICULTURISTS' RELIEF ACT

Much surprise and disappointment was being felt in the lobbies, particularly among landlord members, owing to the fact that no announcement was made by the Government when the Budget Session of the U. P. Legislative Council opened at Lucknow on the 15th. February 1934, regarding acceptance by the Governor and the Governor-General of the Agriculturists' Relief Act, passed in the last session.

The measure was promoted by the Government to give relief to agriculturists by reducing their liability as regards interest and extending the period for redemption of mortgages of agricultural land. The Council liberalised a great deal, the provisions in the original Bill. It was surmised that the Bill might be sent back for reconsideration of certain clauses hitting money-lenders.

NON-OFFICIAL RESOLUTIONS

16th. FEBRUARY :—The Council devoted the day to private resolutions. As the result of to-day's discussion the Waqf Bill was referred to a select committee, after the government had made it clear that the Select Committee would be entitled to make any change it liked provided the principle was not changed.

The *Minister for Education* replying to the resolution on the development of cottage industries outlined the future policy of the Government who had adopted a five years' programme concentrating attention on a few selected large scale industries like sugar and on marketing facilities for development of cottage industries, and of assistance to small traders and businessmen by providing training.

The last resolution urged for speedy settlement of agricultural debts. The *Finance Member* accepting this resolution said various schemes were under consideration.

BIHAR EARTHQUAKE RELIEF

17th. FEBRUARY :—Replying to a question the *Finance Member* said damage to the province by the earthquake was not serious and practically there had been no damage to crops. Enquiry by the District Officers showed that no relief measures were necessary.

Of the two resolutions tabled relating to earthquake damages, the first which asked for loans to persons in the affected areas for construction of houses on a moderate term was accepted by the Government.

The other recommending a donation of two lakhs to the Bihar Government for helping the victims of the earthquake was rejected as the Government were helping already in kind to the extent of half a lakh.

The resolution recommending the establishment of girls' high school in the districts where they do not exist was accepted after amending that schools be established on the recommendation of the Chief Inspectress of schools on the proposal of the district or the municipal boards.

19th. FEBRUARY :—Lobby conversations to-day pointed to the certainty of the Agriculturists' Relief Bill passed in the December session and now awaiting the Governor's assent being referred back to the Council during the current session for reconsideration of certain clause, which in the Government's opinion, are too hard upon creditors. While the Government were maintaining strict secrecy, public anxiety regarding the fate of the measure, which afforded considerable relief to agriculturist-debtors daily increased and it was voiced on the floor of the House by the Deputy President, *Nawabzada Liaquat Ali Khan*. Mr. C. Y. *Chintamani*, Opposition Leader, however opined that he would be the first to join public protests, if the measure was going to be guillotined, but as a matter of fact, it was only going to come back to the Council so that without any fear of injustice being done to debtors, too much injustice might not be done to creditors.

The *Finance Member* said that Mr. Chintamani's optimism was nearer the truth than the Deputy President's pessimism.

The *Finance Member* replying to question of reducing the interest on the agricultural loans advanced by the Government, said that rates had been reduced by a half per cent. The Government agreed to consider the question of payment of agricultural loans by easy instalments.

The *Minister for local self-government* presented the select committee reports on *U. P. Municipalities and District Board's Amendment Bills* to bar Civil Courts' interference in election petitions. In spite of Mr. *Chintamani's* opposition the two Bills were passed.

Another Bill amending the *U. P. Town Areas Act* so as to allow enhanced taxation to provide for contribution to District Boards was also passed.

21st. FEBRUARY :—The *Bills amending the Agra Tenancy and Oudh Rent Acts* were passed to-day.

The *Finance Member* moved recommending to the Government the continuance of the capital programme including the hydro-electric projects, advances to local bodies and cultivators, pension, commutations and tube well construction. The resolution was welcomed by both officials and non-officials as of immense value to agriculture and cottage industries.

Rai Rajeswar Bali, ex-Minister and member of the enquiry committee for the extension of the hydro-electric scheme, dealt at length with its usefulness.

FINANCIAL STATEMENT FOR 1934-35

23rd. FEBRUARY :—"I think I can claim that the budget, as it stands, is on the whole satisfactory. I certainly can and do claim that the position is infinitely better than I expected it would be when I presented my first budget two years ago", said Mr. *E. A. H. Blunt*, Finance Member, presenting the Budget before the Council to-day.

The Finance Member announced that there would be a surplus of fourteen lakhs in the budget estimates for 1934-35. He estimated the year's revenues at 1.150 lakhs and expenditure just under 1,150 lakhs, giving a deficit of five lakhs. Under Debt Heads, however, so far as provincial resources were concerned, Government estimated receipts of 52 and one third lakhs and expenditure of 33 and half lakhs, giving a surplus of nearly 19 lakhs. The total surplus of the year's working, therefore, was fourteen lakhs.

Reviewing the last year's working the Finance Member explained that the deficit at the end of any year was not a loss in the working of that year, but a loss in the working of the whole period under consideration, namely 1921-22 to 1934-35. The deficit for this period amounted to 139 and half lakhs. The balance in the capital account amounted to 25 and three-fourth lakhs. The total deficit, therefore, on the provincial resources came to 113 and three-fourth lakhs. When, to this, are added the balances of different provincial funds and resources, the net provincial deficit came to just under ninety-five lakhs. Mr. Blunt said that after carefully examining the position Government had come to the conclusion that there was little to be gained by funding this deficit at present. Possibly there would be a good deal of loss. The question of funding, said Mr. Blunt, depended on the character of the monsoon and the movement of prices, both of which were circumstances outside the control of Government. With the amount of deficit growing smaller, it would be possible to fund it when circumstances improved.

The Finance Member next referred to the rent revenue scheme which sought to equate rent revenue to prices with the object of putting remissions on a scientific basis. In view of the fact prices were still fluctuating, Government, he said, had decided not to launch the scheme but leave the existing remissions undisturbed. Government officers meanwhile were working out the details of the new scheme.

The outstanding features of the budget were :

(1) Rise in expenditure of education by 8 and half lakhs, which includes a considerable amount of new expenditure on women's education.

(2) Loan programme of the Government by borrowing from the Provincial Loan Fund Rs. 52 and half lakhs. This would include Rs. 7,10,000 for taqavi, Rs. 3,55,000 for local bodies and Rs. 21,00,000 for irrigation and hydro-electrical works. The last item contains Rs. 2.20 lakhs for the Gangan River Canal Project, four lakhs for the State tubes wells and one lakh for tramway to facilitate transport of sugarcane to factories in Meerut District.

(3) Provision for the creation of permanent cadres to be known as the United Provinces Services of Engineers, classes I and II, irrigation (Hydro-Electric). The cadres would consist of five in class I and seventeen in class II with two electrical apprentices. It is proposed on the constitution of the two services to appoint those officers at present employed on a temporary basis, who have justified their selection by previous training and experience.

(4) No assignment is proposed to be made to the famine-relief fund, as it has now reached the statutory limit of fifty lakhs after withdrawal in the budget year of 1 and half lakhs for utilisation on the repayment of the debt. The Government are considering to propose to superior authorities to modify the rules with a view to reduce the maximum limit.

(5) In March 1935 the Road Development Fund would stand at 18 lakhs, after the present budget expenditure of five lakhs.

(6) Retention of the five per cent cut in salaries.

(7) Retrenchment of the Commissionership of Kumaun.

(8) Taxation proposal to raise the revenue to the extent of 9 and one-fourth lakhs by reimposing stamp duties which lapse this year and which are expected further reduce the deficit to 85 and three-fourth lakhs.

In this connection, Mr. Blunt referred to the five per cent cut in salaries and said that the cut was in effect a tax on salaries deducted at the source and amounted to twenty lakhs of additional taxation. "I shall be held justified, if I ask the rest of the tax paying population to contribute half that amount. I am not by any means satisfied. Though during the budget year we expect to work to surplus, yet I cannot admit the budget is really balanced. For there was loss on working of our revenue account of five lakhs and surplus on working was entirely in our capital account, which is variable according to the amount of loans that would be due for repayment. If I am to hand over the provincial finances to the First Finance Minister in the new constitution in a satisfactory condition as it is my earnest desire—then I must be able to offer him a surplus in the revenue account. It is because I wish to achieve this result that I am asking you to give me the present enhanced stamp duties for another two years. In the budget year, we have managed to provide for a certain amount of the much-needed new expenditure and in spite of that have balanced our budget as a whole."

GENERAL DISCUSSION OF BUDGET

6th. MARCH :—Non-official attendance was extremely poor when the Legislative Council reassembled to-day for a general discussion of the Budget and there was general shyness amongst those present to catch the President's eye. While in the previous years a number of members used to complain they got no opportunity at all to have their say, the Council both before and after lunch had to be adjourned much earlier than usual, because nobody got up to speak though the President waited for long.

During question time the Education Minister, Mr. J. P. Srivastava laid on the table a circular addressed by the Director of Public Instruction to all Inspectors that it was a breach of discipline for teachers to approach the members of Council to interview the Minister of Education on their behalf or to take them to the Minister to have their grievances redressed and severe action would be taken against such teachers.

The Minister, in reply to a supplementary question, said a large number of teachers had thus directly approached him.

PROTEST AGAINST DUTY ON SUGAR

7th. MARCH :—In the Council to-day, Mr. Nisarullah, through a motion for adjournment, raised the debate to protest against the proposal of the Central Government to levy an excise duty on Sugar specially as it affected the U. P.

Speaking on behalf of the consumer and cultivator, the speaker said that the duty was calculated to operate harshly on both the interests he was sponsoring. He regretted that all elastic sources of revenues had been monopolised by the Government of India, leaving rigid ones for the provinces. He asserted that the cry of over-production was a bogey, which lacked facts and the agriculturist would not be benefitted by the duty as the manufacturer, in spite of legislation, would lower the prices of cane. He did not object if the Government took away excessive profits of the manufacturer by means of levying a surplus profit tax.

Messrs. Vikramajit Singh, Habibullah and Krishnapal Singh supported the motion.

The Minister Mr. Srivastava claimed that he was in sympathy with the motion, but none of the speakers made a case for representation to the Government of India. Their own experts did not think that the duty would hamper the development of the sugar industry, but would only decrease the profits of manufacturers. The Government of India did not back out of their promise in regard to protection to sugar, but the excise duty now proposed was less than 25 per cent of the surcharge, which was only a revenue duty. He assured the interests of the consumer and cultivator would be fully safeguarded by the Government and excise duty would act as protection for the small non-factory producer of sugar.

Mr. Liyagat Ali Khan contested the statement that the consumer would not be hit, while Mr. C. Y. Chintamani attacked the attitude taken by the Minister, who was an elected member responsible to the House. It took nearly 30 years to remove the excise duty on textiles and it was now, he said, anti-national plan of

the Government of India to better development of an industry, which was still young. If the Government of India were faced with decreasing imports, it was open to them to take off surcharges or help the cultivator without imposition of the excise duty. The real fact, however, was that sugar, tobacco and match industry had shown development.

The Minister Mr. *Srivastava* once again assured the House that they had no say on the imposition of the duty, but were prepared to consider if any representations were made to show that duty would adversely affect the industry. They had no data for the present to oppose the duty and promised to forward the proceedings to the Government of India. The adjournment motion was carried, the Government not challenging a division. The Council rose for the day.

9th. MARCH :—“Rural sanitation is in a disgraceful condition, and the Public Health Department has done nothing towards its betterment”, said *Hafiz Hidayat Husain* supporting the cut motion under the Public Health demand to-day.

Nawab Sir Muhammad Yusuf, Minister, was severely criticised for not providing enough funds to District Health Officers to carry on their useful work. The general strain of criticism from all quarters of the House was that owing to paucity of funds at their disposal, these highly qualified and highly paid officers, were a source of wasteful public expenditure and their advice to villagers on methods of rural and sanitary improvement was practically useless, as villagers, on account of their hopelessly impoverished condition, were able to do nothing without Government help.

Rai Rajeshwar Bali, ex-Minister said that it greatly pained him to find that the structure of the district health scheme, which he laboriously built up during his period of office, was crumbling for lack of adequate financial support. He said, “There should be some sense of public decency even for the Nawab”, who alone with Education Minister profusely showered encomiums on the Finance Member for his extreme generosity towards the transferred departments only yesterday but to-day pleaded financial stringency for adequate public health work in rural areas.

The cut motion was unanimously supported even by Ministerialists and carried without a division.

Nawab Sir Md. Yusuf, replying to another cut motion, undertook to appoint a Provincial Service Officer as Director of Public Health, on the retirement of Lt-Col Mearns, the present I. M. S. Officer, in the course of the year.

[GOVT. POWERS FOR ZAMINDARS

13th. MARCH :—The proposal of the Independent Party Leader, *Raja Jagannath Bakhsh Singh*, that the landlords should be armed with weapons for the realisation of rents from the tenants somewhat similar to those possessed by the Government to distrain the property of defaulting zamindars who failed to pay land revenue in time and to order their arrest and detention, came up for consideration in the Council to-day.

Introducing his resolution on Saturday last the Raja had urged that landlords should be armed with powers to realise rents due to them somewhat similar to those enjoyed by the Government for the collection of revenue. He pointed out by quoting statistics that while the Government, despite the slump in prices and the economic depression, were able to realize 97.3 per cent. revenue in 1931 and 99.7 per cent. in 1932 landlords were able to realise only 51 per cent. in 1931 and 60 per cent. in 1932, of the rents due to them from tenants. The Raja made it amply clear that the object of his motion was not to arm the zamindars with any drastic powers to enable them to harass the tenants but only enable them to realise rents just as efficiently as the Government realized their revenue year by year. To strengthen his contention he cited Sec. 39 of the Court of Wards Act which empowers the Government to realize arrears of rent from tenants in estates under the management of the Court of Wards just as arrears of land revenue. “It is needless to emphasize that the matter is highly controversial because it is one thing that organised Government should possess such powers and quite another for private individuals to be armed with them. In this connection it may be quite relevant to mention that times out of number the landlord members have protested on the floor of the House against powers of the Government to issue coercive processes and the arrests and detention of the defaulting zamindars.”

Mr. *E. A. H. Blunt*, Finance Member, opposing the motion pointed out that such powers in the hands of certain zamindars were liable to be misused and abused and

such abuse would promote widespread agrarian riots in the Province. He said Government could not undertake the collection of rents for zamindars and the provision embodied in the Oudh Rent Act and Agra Tenancy Act to counter the no-rent campaign could only be made applicable when there was a general refusal to pay. In this case it was not such a refusal on the part of the tenants but their inability to pay. He, however, realised the landlords' difficulties and agreed that some satisfactory solution of the problem must be found. He added that Government would soon tackle the problem.

Mr. *Chintamani* said the zamindars who all along criticised the Government for the manner in which they resorted to the barbarous power of humiliating a defaulting zamindar by arresting him, could not in the same breath demand they should themselves be armed with similar powers. He however strongly pleaded for a proper adjustment of rent and revenue and for their reduction so that it might not be beyond the capacity of tenants and zamindars to pay.

The motion was withdrawn and the whole revenue demand was voted.

14th. MARCH :—The effect of 13 years' transitional system of Government since the Reforms were inaugurated on the morale and discipline of the Police Force, was referred to by *Kunwar Jagdish Parsad*, Home Member, in the Council in moving the grant of Rs. 1,53,46,941 under "Police".

One of the main features of the reformed constitution in U. P. has been that the portfolio of police has always been held by prominent Indians. The first was the late Maharaja of Mahmudabad and after him the Nawab of Chhatari, during whose absence from India Nawab Sir Muzammilallah Khan officiated. The late I. G. of Police, Sir Robert Dodd, in his valedictory tribute had said that he was immensely proud of the loyalty, efficiency and zeal of the Indian Police during the 31 years he was associated with them in the U. P. The Home Member said this tribute was completely justified and the loyalty and discipline of the Force remained unshaken though the province recently passed through economic distress, political turmoil and communal troubles. The Council, though critical, had always voted the Police expenditure and showed its real sense of responsibility. The Government were determined to make a sustained effort to reduce the incidence of dacoities, which was the main problem of crime. He frankly recognised the existence of corruption among the rank and file of the police forces and said the Government, with public assistance, resolved upon eradicating the evil. The Government would also impress on the police the need of being courteous in the treatment of the people so that the police might be regarded as guardians of law and order and at the same time the protectors of the poor and the oppressed.

Mr. *C. Y. Chintamani*, Leader of the Opposition, pointed out that Sir Robert Dodd had already been declaiming against the proposal to place police under the control of Ministers responsible to the legislature but what difference did it make if an Indian Member in charge of the police were to be called a Minister instead of a Home Member. On the basis of experience they were justified in anticipating continuous and friendly co-operation between the Government and the Legislature in the desire to keep the police up to the mark and make it less unpopular and more helpful to the people than at the present moment. The failure of the Congress to make good their promises led to increased revolutionary activity. Referring to the remarks of Mr. Hollins, I. G. of Police, in his latest Administration Report Mr. Chintamani pointed out that if Congressmen promised complete Swaraj for India as the result of the Civil Disobedience campaign it would not have led to increased revolutionary activity, but the real cause of it was Government's failure to implement their promises and the consequent feeling of hopelessness engendered in the public mind. Lack of co-operation on the part of the people in effectively dealing with crime was in no small measure due to the superior air which the police often betrayed towards them.

Not one cut motion was passed before the Council adjourned.

19th. MARCH :—"A time is fast approaching when the growing menace of unemployment will surely lead either to a revolution or an armed uprising". This note of warning was sounded by *Saiyid Jafar Hosain* (Moradabad) in connection with the widespread unemployment among graduates turned out in thousands every year by the five Universities in U. P. during the discussion in the Council on the Education Budget. He pressed on the Government the desirability of appointing a committee to go into the whole problem.

Mr. J. P. Srivatsara, Minister for Education, said the Government were most anxious to solve the problem but their efforts had so far borne no fruit. There was no ready-made panacea for the trouble which had its origin in the aimless drift of students of Universities, a great many of whom were really unfit for University education. University education must be systematised to prevent this aimless drift. The question was really an economic one and fresh avenues of employment must be found by reorganising provincial industries as recommended by the industries reorganization committee.

The Minister assured the House that the Government fully realised the danger of letting educated young men drift without jobs and they were not sitting still but moving as fast as they could. They were most anxious to find a proper solution for the problem but there was no rough and ready method for doing so. They took a serious view of the situation and were fully cognizant of the magnitude of the problem. The Minister while accepting the proposal for the appointment of a Committee expressed that he had consulted several technical and commercial experts and was applying himself heart and soul to the question. Government felt confident they would go a long way in removing unemployment by providing industrial occupations to educated young men.

The entire education demand was voted before the Council adjourned for the day.

22nd. MARCH :—After question time to-day, *Kunwar Jagadish Prasad*, Home Member, moved for grant of the demand under the Administration of Justice for Rs. 61,95,653. Mr. C. Y. Chintamani, by a cut motion, drew attention to the publication in the newspapers yesterday and repeated today that one of the Judges of the Allahabad High Court was going to be appointed as Chief Judge of the Oudh Chief Court. Mr. Chintamani said he would like to know from the Home Member whether this information was correct and if the Home Member's answer was in the affirmative he further liked to know the reasons therefor. He pointed out that on the Bench of the Oudh Chief Court there were Judges who in the public estimation were quite eligible and qualified for the Office of Chief Judge. On the last occasion, when the Office of the Chief Judge fell vacant, Government's action created an impression that the Senior Puisne Judge of the Chief Court would in the ordinary course be elevated to the position of Chief Judge and that there would be no importation from another court to fill that office. In case the statement published in the press was correct he liked to know why the same practice was not going to be followed on the present occasion. As there had been no official communication in confirmation or contradiction of the present statement in the Press, Mr. Chintamani added he would not be justified at the present moment in making any comments on the assumption that the information was well founded. If, unfortunately, it should be necessary to offer any observations on that point they would be reserved for a later occasion.

Kunwar Jagadish Prasad replying, said that as Hon'ble Members know the appointing authority for the permanent appointment of the Chief Judge of the Chief Court was the Governor-General-in-Council and no official announcement had been made as to who was to succeed Sir Wazir Hasan. He therefore very much regretted he was unable to answer Mr. Chintamani's questions until an announcement was made by the Governor-in-Council.

Mr. Chintamani said in case no information had been received by the Local Government from the appointing authority he hoped he would not be hoping for too much if he still expected that the action which was bound to be regarded by the public as injustice to deserving Judge would not be perpetrated. He further hoped that the Local Government who certainly would be asked by the Government of India, if indeed they had not been already asked, would support the claim of an officer for whose appointment they themselves must have been initially responsible, as the Government of India were not likely to have made the appointment to the Bench of the Court in these Provinces without the knowledge or advice of the Local Government. He further desired to state very candidly that if the official announcement that might be made would confirm the news already published, there would be wide and deep disappointment in the public mind and the Government of India would have none to thank but themselves for creating fresh occasion for public discontent and public distrust with regard to acts done by them. Though he feared it must be too late to influence any decision which the Government of India might have taken or were about to take, none the less he earnestly hoped and trusted that the action of the Local Government in the matter would bring about an

arrangement which would be in accordance with precedent and conform to the dictates of justice and which would satisfy the public mind.

The issue raised being the appointment of the Chief Judge of the Chief Court and the power of appointment being in the hands of the Government of India, the motion was not pressed.

23rd. MARCH :—The budget session of the Council concluded to-day. During the day the Council discussed the demand for medical department estimates but the debate had not concluded when the guillotine was applied at 5. p. m. and all remaining demands were voted. Shortly afterwards, the Council reassembled and passed two taxation bills after considerable discussion during which the Government agreed to limit the period of operation of the bills to three months instead of two years as originally provided. The house divided on both measures, the voting on the *Court Fees Amendment Bill* being 57 to 13 votes, while on the *Stamp Act Amendment Bill*, it was 60 to 14. The Council was then *prorogued*.

April Session—Lucknow—9th. to 12th. April 1934

GOVERNOR'S SURVEY OF AGRAGRIAN SITUATION

His Excellency *Sir Malcolm Hailey*, Governor of the United Provinces, in the course of an address to members of the Council which commenced its April session on the 9th. April 1934 detailed reasons which compelled him to send back to the Council the *Agriculturists Relief Bill* for reconsideration of some of its important clauses and dealt exhaustively with the question of rural indebtedness.

Dealing with the general aspect of rural indebtedness, he asked whether any scaling down of the standing debt by legislative enactment was regarded as an appropriate remedy. The general scaling down of debt which took account only of the amount of debt due and not of rates of interest engaged and which did not provide to the creditor any increased facility for securing repayment in return for the loss of the potential assets was not, he thought, an appropriate measure. It would create general loss of confidence which would react gravely on the credit, not only as applied to agricultural but other transactions. The remedy lay in an attempt to prescribe rates of interest and His Excellency suggested that the rates prescribed must bear some proper relations to the prevailing rates earned by money elsewhere and to extra risks involved in this particular class of transaction. Turning to the particular aspect of the problem created by the depression in the produce prices, His Excellency referred to the various specific measures such as the *Agriculturists Relief Bill*, the *Regulation of Trades Bill* and the *Encumbered Estates Land Alienation Bill*, which were designed to relieve indebtedness and explained their aims and objects. He suggested any action in this direction must be regulated by discriminative readjustment of contracts and a recognition of ability of debtor to pay and the relation borne by contractual rates of interest to the value of money in other investments. Further action must be directed to giving the creditor facilities for recovering adjusted debt.

His Excellency then dwelt on the changes involved in the *Agriculturists Relief Bill*. His Excellency deeply regretted that he was felt compelled to ask the Council to reconsider some of the important clauses of the Bill, but the reason was that Government had not then before them the mass of material since obtained, which enabled them to judge the effect of these clauses in a large number of contract cases.

His Excellency concluded : "If, in attempting to relieve the indebtedness of one class, we cut under the general operation of credit, we may cause mischief the full extent of which none of us can foresee."

AGRICULTURISTS LOANS ACT AMEND. BILL

The Council then passed the *Agriculturists Loans Act Amendment Bill* aimed at empowering the Government to advance loans to agriculturists for the purchase of occupancy rights and for the payment of the existing debts. There was general complaint in the House that the Bill was taken into consideration at too short a notice, members not having been given sufficient time to study its provisions though its usefulness was generally recognised. The Finance Member announced that the *Agriculturists Relief Bill* sent back by the Governor-in-Council for consideration will be taken up in the June session.

AGRICULTURISTS RELIEF BILLS

11th. APRIL :—There was protracted debate lasting for more than four hours over the *Finance Member's* motion for reference to select committees of the *Encumbered Estates Bill*, the *Bill to make temporary provision for regulation of execution of civil court decrees of small agriculturists*, the *Bill to make temporary provision for regulation of sale of agricultural land*, and the *Bill to amend the Usurious Loans Act of 1918* in its application to U. P.

A very notable contribution to the debate on the bills was the forceful vigorous and able maiden speech by one of the two representatives of money-lenders and bankers, *viz.* Mr. *Radhey Shyam Rastogi*. Their viewpoint on the proposed bills found an able exponent in Mr. Rastogi and his speech was well received by the House for the manner in which he pleaded for a fair and equitable treatment being accorded. Keen dissatisfaction was expressed with the scheme of legislation brought forward by a number of members including *Nawabzada Liaqat Ali Khan*, *Hafiz Hidayat Husain*, *Rai Rajeshwar Bali*, *Maulvi Fasihuddin* and *Hafiz Muhammad Ibrahim*. Their contention was that the bills were very much restricted in scope and no real and substantial relief was being afforded to the bulk of the agricultural population. This criticism was most effectively met by the leader of the Opposition, Mr. *Chintamani*, who in a masterly speech pointed out that the principle underlying all the bills were most desirable and unobjectionable and the details could be settled in the select committee. He humorously pointed out that he was admittedly not a novice in the art of denunciation of the Government but he was sure that these bills were meant to do a good turn to the agriculturist in his present difficulties. Mr. *Chintamani* added he was convinced that at the present moment the weapon in their armoury which should be taken out and used was not the weapon of denunciation or generalisation but of patient and impartial examination of the bills. Mr. *Chintamani* also effectively answered the criticism of *Nawabzada Liaqat Ali Khan* that the Government had responded to his appeal not to treat the money-lenders as a plague spot in the society more than he could have expected and the question addressed by the deputy president to Mr. *Chintamani* at the conclusion of his speech was disallowed by the President on the ground that it did not arise out of the discussion before the House.

INDUSTRIES COMMITTEE REPORT

12th. APRIL :—The Industries Reorganisation Committee report of *Hon. Srivastava* engaged the Council's attention to-day. Mr. *Chintamani* condemned many recommendations made by the committee particularly the one proposing the closing down of several useful industrial and technical schools. Mr. *Chintamani's* speech was a terrific onslaught on the Minister's policy and measures in connection with the Industries department. After the discussion of the report the House passed *Maulvi Fasihuddin's* resolution for a sum of Rs. 8,00,000 being set apart for the development of cottage industries on co-operative lines, discussion on which had been postponed on Feb. 16 pending consideration of the Industries Committee report. The House then adjourned *sine die*.

Special Session—Nainital—14th. to 23rd. June 1934

RESOLUTION ON LAND REVENUE QUESTION

A resolution recommending to the Government not to alter the present scale of rent and revenue remissions in the coming year in the United Provinces and to reject the proposals of adjustment of rent and revenue to prices as formulated in the new scheme was carried in the Council, which commenced its Nainital session on the 14th. June 1934. The resolution was discussed the whole of the next day, a majority of speakers supporting the resolution.

On behalf of landholders, it was contended that the resolution sought to deprive them of their principal function of adjusting rent and revenue. It was also urged that according to the new scheme, there would be less benefits to agriculturists. On behalf of the Government, the *Finance Member* explained that the Government were still keeping an open mind on the new scheme and had not decided if and when to bring it into operation.

JUVENILES ANTI-SMOKING BILL

16th. JUNE :—The Council to-day rejected after a lengthy debate by a large majority the non-official Bill to prevent juveniles from smoking tobacco. Those who opposed the Bill contended that the Bill as framed was unworkable and would only help to encumber the statute book, being ineffective. Supporters of the Bill, on the other hand, urged that the Bill was a necessary piece of legislation considering that the injurious habit of smoking among juveniles was alarmingly increasing.

DT. BOARDS ACT AMEND. BILL

Another retrograde and reactionary bill to amend the District Boards Act which was moved for reference to select a committee met with a very hostile reception in the House. The bill virtually sought to make the chairman and secretaries of district boards autocrats and its mover, *Thakur Giriraj Singh*, made a futile attempt to make out a strong case in its support. When it was first introduced on Feb. 15, its provisions were found to be of such a sweeping character that the leader of the Opposition, Mr. *Chintamani* moved for its circulation for eliciting opinion thereon and the motion was carried. The opposition being almost overwhelming the mover discreetly withdrew his motion remarking that he was against wasting the taxpayers' money on the select committee to consider two of the clauses of the bill which the *Hon. Nawab Mohd. Yusuf*, the Minister, was inclined to support in a modified form.

NON-OFFICIAL BILLS

18th. JUNE :—Three bills sponsored by *Rai Bahadur Babu Vikramajit Singh* occupied the attention of the Council for the whole of to-day. The first two of them sought to do away with the system of plural voting now in vogue in elections of various committees of district and municipal boards and to introduce the system of election by single transferable vote with a view to ensure representation to minority parties. The change advocated by the Rai Bahadur encountered little or no opposition and some members doubted the necessity of referring the bills to select committees which would involve avoidable public expenditure.

An amendment to the effect that bills be taken into consideration was sought to be moved by *Sheikh Muhammad Habibullah* which was, however, ruled out by the President in view of the Standing Orders on the subject that when there was a motion for reference of a bill to a select committee before the House, the only amendment which could be moved was for the circulation of the bill to elicit opinion thereon.

The third bill of the Rai Bahadur was for complete overhauling of the Agra University Act passed in 1926. The bill proposed to make drastic changes of far-reaching nature in the Act and the Rai Bahadur made an elaborate and laboured speech for nearly an hour which however fell flat upon the House. Proceeding on the assumption that teachers dominate the Senate and the executive council of the Agra University, he suggested almost revolutionary changes with a view to dislodge them and reduce them to a position of utter insignificance so that the poor teachers might be practically crushed out of existence and their places be occupied by the secretaries of the boards of management of colleges.

One of the greatest offences of the Agra University which provoked R. B. Vikramajit Singh's wrath was the statute passed by it in the interests of teachers' security of tenure. The statute required the boards of management to enter into written contracts with teachers in their service so that the sword of Damocles might not be perpetually hanging over their heads and they might not be despotically dismissed by autocratic secretaries of colleges. The Rai Bahadur vigorously criticised this statute in particular and held that the presence of self-interested teachers in large numbers on the university was responsible for its enactment.

Hafiz Hidayat Husain, who followed the mover, moved for the circulation of the bill and he was ably supported by *Rai Rajeshwar Bali*, deputy leader, Nationalist Party, during whose regime as Education Minister the Agra University Act was passed by the legislature. In a very informing and well reasoned speech *Rai Rajeshwar Bali* convincingly showed that the bill was quite uncalled for, if not mischievous and sweeping in nature.

Mr. *A. H. Mackenzie*, Director of Public Instruction, said it was essential to obtain public opinion on the bill, particularly of the Agra University Senate which would meet in November next. He literally tore to shreds R. B. Vikramajit Singh's

bogey of domination of teacher element in the university affairs and vigorously defended the statute enacted by the Agra University for the stability of teachers.

The House eventually agreed to the bill being circulated for eliciting opinion by December 15, 1934.

REPEAL OF GOONDA ACT

19th. JUNE :—There was an animated and lively debate to-day over the resolution moved by *Hafiz Mohammad Ibrahim* asking for repeal of the Goondas Act. The debate which lasted for the whole of the day showed that there was a sharp cleavage of opinion on the way in which the legislation was being worked in Cawnpur since it was brought into force in March 1932. The mover, in his speech, argued for nearly an hour that the Act was being harshly worked and several innocent persons had suffered along with the guilty. *Hafiz Hidayat Hussain* was for the Act being amended but not repealed and he moved an amendment accordingly. The leader of the Constitutional Party, *Rai Bahadur Babu Vikramajit Singh*, opined that the existing conditions in Cawnpore warranted the continuance of the Goondas Act in all its rigour and did not permit any sort of relaxations. Another amendment moved by *Babu Brijnandan Lal* urged that the Act be amended on the basis of the report of a committee to be appointed by Government consisting of two officials and two non-officials presided over by a High Court judge. This procedure was considered to be too cumbersome by *Rai Rajeshwar Bali*, deputy leader of the Nationalist party, and the leader of the Democratic party. *Nawabzada Liaquat Ali Khan*, who was a member of the Cawnpore Riots Enquiry Committee, held that the presence of goondas was a grave menace to the peace and tranquillity of Cawnpore city and suggested the enactment of the present Act. *Mr. R. F. Mudie*, Collector of Cawnpore, emphatically refuted the suggestion that there was any room for innocent persons being externed from Cawnpore as goondas. The Home Member, *Kunwar Jagadish Prasad*, stated that the Act had been very fairly administered and the case of every goonda against whom there was preliminary report by the district magistrate was very carefully scrutinised by two very experienced judges—*Mr. J. J. W. Allsop*, at present judicial secretary, who was soon going to be raised to the High Court bench, and *Mr. Mohammad Ziaul Hasan* who was now a judge of the Chief Court. Proceedings were taken by the Government against 228 Goondas of whom only 180 were externed on the recommendation of the judges. The Home Member strongly repudiated the charges of oppression on the part of the police or of irresponsibility on the part of the executive and accepted the suggestion of *Rai Rajeshwar Bali* that Government should receive all the proposals for the amendment of the Act and see in what respects the working of the Act could be improved. *Mr. Brijnandan Lal*, thereupon, withdrew his amendment and the resolution as amended by *Hafiz Hidayat Hussain* was carried without division.

20th. JUNE :—Official business was transacted at to-day's Council meeting which included the passage of two bills to amend the *Municipalities Act* and the *District Boards Act*.

In the course of the discussion on the Municipalities Bill, generally known as the Municipal Omnibus Bill, *Rai Rajeshwar Bali* made a very practical and commendable suggestion for comprehensive amendment of both the Acts, so that there might be no necessity for piecemeal legislation which was very inconvenient and confusing to all concerned. The Minister, who did not favour the suggestion for the appointment of a committee, expressed his agreement to a certain extent with the criticism against piecemeal legislation and said that the present bills would probably be one of the last series of amending bills.

23rd. JUNE :—The Finance Member after presenting the report of the Select Committee on the Encumbered Estates Bill and other allied bills relating to rural indebtedness did not move their consideration. He explained that certain provisions of the first Bill as amended required the previous sanction of the Government of India, as they tended to interfere with central subjects. For this reason, it was thought necessary to postpone consideration of the Bills, pending the sanction of the higher authorities to some suitable date.

There being no other business before the House, the President adjourned the House *sine die*.

THE PUNJAB LEGISLATIVE COUNCIL

LIST OF MEMBERS

THE HON'BLE CHAUDHRI SIR SAHABUDDIN (*President*)

BUTA SINGH, SARDAR BAHADUR SARDAR (*Deputy President*)

Executive Councillors and Ministers

THE HON'BLE SIR MILES IRVING

THE HON'BLE MR. D. J. BOYD

THE HON'BLE SARDAR SIR JOGENDRA SINGH

THE HON'BLE MALIK SIR FIROZ KHAN NOON

THE HON'BLE DR. GOKUL CHAND NARANG

Official Members

- 1 ANDERSON MR. J. D.
- 2 ASKWITH MR. A. V.
- 3 FAZL ILAHI, KHAN SAHIB SHAIKH
- 4 FERGUSON, MR. J. A.
- 5 GARBETT, MR. C. C.
- 6 GRINDAL, MR. A. D.
- 7 HEARN, MR. J. W.
- 8 LATIFE, MR. A.
- 9 MURAHY, MR. A.
- 10 K. A. RAHMAN, KHAN BAHADUR DR.
- 11 SANDERSON, MR. R.
- 12 BROWNE, MR. F. C.

Non-official Members

- 1 ABDUL GHANI, SHAIKH
- 2 AFZAL HAQ, CHAUDHRI
- 3 AHMAD YAR KHAN, DAULATANA, KHAN BAHADUR MIAN
- 4 AKBAR ALI, PIR
- 5 ALLAH DAD KHAN, CHAUDHRI
- 6 ARJAN SINGH, SARDAR
- 7 BAHADUR KHAN, SARDAR
- 8 BALBIR SINGH, RAO BAHADUR CAPTAIN RAO
- 9 BANSI LAL, CHAUDHRI
- 10 BHAGAT RAM, LALA
- 11 BISHAN SINGH, SARDAR
- 12 CHETAN ANAND, LALA
- 13 CHOTTU RAM, RAO BAHADUR
- 14 CHOWDHURY, MR. SAJAN KUMAR
- 15 FAQIR HUSAIN KHAN, CHAUDHRI
- 16 FAZL ALI, KHAN BAHADUR NAWAB CHAUDHRI
- 17 GHANI, MR. M. A.
- 18 GOPAL DAS, RAI SAHEB LALA

- 19 GURBACHAN SINGH, SARDAR SAHIB SARDAR
- 20 HABIB ULLAH, KHAN BAHADUR SARDAR
- 21 HAIBAT KHAN DAHA, KHAN
- 22 JAGDEB KHAN KHARAL, RAI
- 23 JANMEJA SINGH, CAPTAIN SARDAR BAHADUR SARDAR
- 24 JASWANT SINGH, GURU
- 25 JAWAHAR SINGH, DHILLON, SARDAR
- 26 JYOTI PRASAD, LALA
- 27 KESAR SINGH, RAI SAHIB CHAUDHRI
- 28 LABH CHAND MEHRA, RAI SAHIB LALA
- 29 LABH SINGH, MR. M. A.
- 30 LEKHWATI JAIN, SHRIMATI
- 31 MALAK, MR. MUHAMMAD DIN
- 32 MAMRAJ SINGH CHOCHAN, KANWAR
- 33 MANOHAR LAL, MR. M. A.
- 34 MAYADAS, MR. ERNEST
- 35 MAZHAR ALI AZHAR, MAULVI
- 36 MOHAN SINGH, SARDAR BAHADUR SARDAR
- 37 MOHINDAR SINGH, SARDAR
- 38 MUBARAK ALI SHAH,, SAYAD
- 39 MUHAMMAD ABDUL RAHMAN KHAN, CHAUDARI
- 40 MUHAMMAD AMIN KHAN, KHAN BAHADUR, MALIK
- 41 MUHAMMAD YUSOOF, KHWAJA
- 42 MUHAMMAD HAYAT QUARESHI, KHAN BAHADUR NAWAB
- 43 MUHAMMAD HASAN, KHAN SAHIB MAKHDUM SHAIKH
- 44 MUHAMMAD JAMAL KHAN LEGHARI, KHAN BAHADUR NAWAB
- 45 MUHAMMAD RAJA SHAH GILANI, MAKHDUMZADA SAYAD
- 46 MUHAMMAD SADIQ SHAIKH
- 47 MUHAMMAD SARFARAZ ALI KHAN RAJA
- 48 MUHAMMAD YASIN KHAN, CHAUDHRI
- 49 MUKAND LAL PURI, MR
- 50 MUKERJI, RAI BAHADUR MR. P
- 51 MUSHTAQ AHMAD GURMANI, KHAN BAHADUR MIAN
- 52 MUZAFFAR KHAN, KHAN BAHADUR CAPTAIN MALIK

53 NARENDRA NATH , DIWAN BAHADUR RAJA
 54 NATHWA SINGH, CHAUDHRI
 55 NIHAL CHAND AGGARWAL, LALA
 56 NOOR AHMAD KHAN, KHAN SAHIB MIAN
 57 NUR KHAN, KHAN SAHIB RISALDAR BAHADUR
 58 NURULLAH, MIAN
 59 PANCHAM CHAND, THAKUR
 60 PANDIT, MR. NANAK CHAND
 61 RAGHBIR SINGH, HONORARY LIEUTENANT SARDAR
 62 RAHIM BAKHSI, MAULVI. SIR,
 63 RAMJI DAS, LALA

64 RAM SARUP, CHAUDHRI
 65 RAM SINGH, 2ND-LIEUT, SARDAR
 66 RIASAT ALI, CHAUDHRI
 67 ROBERTS, MR. W.
 68 SAMPURAN SINGH, SARDAR
 69 SEWAK RAM, RAI BAHADUR LALA
 70 SHAH MUHAMMAD, CHAUDHRI
 71 SHAVE, DR. (MRS.) M. C.
 72 SHEO NARAIN SINGH, SARDAR BAHADUR SARDAR
 73 UJJAL SINGH, SARDAR SAHIB SARDAR
 74 UMAR HAYAT, CHAUDHRI
 75 ZAFRULLA KHAN, CHAUDHRI

Proceedings of the Council

BUDGET SESSION—LAHORE—19th. FEBRUARY TO 23rd. MARCH 1934

With the swearing in of the first-elected lady member of the Council, *Shrimati Lekhawati Jain*, the proceedings of the Budget Session of the Punjab Legislative Council commenced at Lahore on the 19th. February 1934.

The day was devoted to the discussion of a non-official resolution recommending to the Government the appointment of a mixed committee of members of the House, with a majority of elected members, to examine the causes of inadequate representation of Statutory agriculturists in a majority of Government departments and suggest means whereby their adequate representation in all departments may be secured within the next five years. The debate had not concluded when the House adjourned.

20th. FEBRUARY :—The resolution was debated upon to-day and subsequently withdrawn on the assurance of the *Finance Member* to take steps to enforce Government's policy in the matter wherever it was not effectively carried out.

WOMEN IN LOCAL BODIES

The part which women should play in public life was the subject of an interesting but inconclusive debate in the Council on the motion of the first elected lady member, *Shrimati Lekhawati Jain*, that sex disqualification for registration on electoral rolls of Municipalities and District Boards should be removed in respect of women generally and that they should be allowed to stand as candidates for membership of those bodies.

The *Leader of the Opposition*, opposing the motion, observed that the Council had made a great mistake when it allowed women to stand for election to the Legislature and he pleaded against a similar mistake being made in respect of District Boards and Municipalities.

Dr. (Mrs.) Shave, the only other woman-member of the House, preferred women being nominated to local bodies as they would not be prepared to face the mud-slinging that elections involved.

Another member observed that God had entrusted women with the function of bringing up children and instead of seeking to enter public bodies, they should devote themselves to bringing up the younger generation on correct lines.

Sardar Ujjal Singh, on the other hand, pointed out that the Punjab Council was the first to remove the sex disqualifications in respect of the candidature to the Councils. They were on the threshold of a new constitution and he regretted that anyone should express the view that women should not have the same powers as men.

The debate had not concluded when the House adjourned.

PUNJAB TOBACCO VEND FEES BILL

22nd. FEBRUARY :—The inauguration of new constitution would make necessary the exploration of fresh sources of revenue, and tobacco was a suitable source, said the Hon. Sir *Henry Craik*, Finance Member, to-day, introducing the Punjab Tobacco Vend Fees Bill on the sale of manufactured tobacco in municipalities in notified areas, small towns, cantonments and railway stations in order to raise the revenue. Sir Henry Craik pointed out that tobacco was taxed in most parts of the world. It was a luxury and as such it was fit for levy of taxation. The Bill proposed to levy a small annual license fee from all persons whether shop-keepers or hawkers.

Pandit Nanak Chand and *Sheik Mohamed Sadiq* opposed the Bill on the ground that it would lead to harassment of the people. They were not against taxing tobacco, but objected to certain provisions of the Bill. *Pandit Nanak Chand* added that the Bill was an undue interference with the liberty of the people.

Choudhury Chottu Ram, Leader of the Unionist Party, lent full support to the Bill, which was referred to a Select Committee.

OFFICIAL BILLS PASSED

The House then passed without discussion the *Punjab Municipal Tax Validating Bill*, *Punjab Small Towns Tax Validating Bill*, the *Punjab Municipal Amendment Bill* and the *Punjab Municipal Executive Officers' Bill*, all of which were minor official measures. The House then adjourned till the 26th.

Financial Statement for 1934-35

26th. FEBRUARY :—Introducing his fourth budget in the Council this afternoon, Sir *Henry Craik*, Finance Member, estimated the income on revenue account during the forthcoming financial year at Rs. 10.66 lakhs and the net expenditure charged to revenue at Rs. 10.15 lakhs. 'Although there are some indications that the worst period of economic depression has been passed, and though at the moment there are some slight signs of an upward trend in prices, there is certainly no ground for any complacent optimism', said Sir Henry Craik, summing up the outlook. He announced the Punjab Government's decision to continue for another year the temporary 5 per cent. cut in the pay of Government servants, thus resulting in a saving of Rs. 16 lakhs'.

Summing up the results of his stewardship of the Punjab finances, Sir Henry Craik said: 'On the results of the whole series of four years as far as they can at present be visualised, we are, I think, entitled to look with a modest degree of satisfaction. We have been confronted with a period of economic depression unparalleled for more than a century. We have not so far imposed a penny of additional taxation. But, so far at any rate, we have succeeded in winning through on the right side. Many countries, and, indeed, several provinces in India, are now practically bankrupt, but our head is still above water and we are now certainly in a stronger position than we were two years ago.' The Finance Member said that the total amount of Government dues foregone during the last four years amounted to the 'enormous' sum of Rs. 6.13 lakhs.

Concluding, Sir Henry Craik said that the Government had been guided by two principles in the management of the province's finances during the last few years. The first of these is the necessity of showing its practical sympathy with the cultivator in his present distress by means of remissions in taxation up to the utmost possible limit. The second principle which we have steadfastly kept in mind is our obligation to conserve our resources so that we shall be able a year or two hence to hand over the province to our successors, when the promised reforms are introduced, in a sound financial condition. To secure this end we have been constrained during the last three years to draw our belts tight and deny ourselves many things which in more prosperous times we should have regarded as indispensable. This policy of rigid self-denial must, I fear, be continued for some time to come, for it is all important that the reformed constitution should have a fair start unhampered by financial embarrassments.'

The capital expenditure for 1934-35 is expected to amount to Rs. 1.32 lakhs. The revised estimates for 1933-34 show a surplus of Rs. 23 lakhs against an estimated surplus of Rs. 29 lakhs.

GENERAL DISCUSSION OF BUDGET

1st. MARCH :—During the general discussion of the Budget in the Council to-day, non-official speakers, including *Raja Narendranath*, Leader, Urban Party, urged that

the Government should give more relief to agriculturists. A plea for co-operation between urban and rural interests was made by Mr. *Monoharlal*, ex-Minister, who pointed out that the prosperity of the province could only result from the co-operation of all in a spirit of common citizenship. *Ch. Chottu Ram*, Leader, Rural Party, appreciating these sentiments, added that the interest of urban population were inter-connected, but some existing conflicts could not be overlooked.

2nd. MARCH :—Winding up the discussion in the Council to-day, the *Finance Member* assured those who desired surplus to be utilised for reduction of water charges if unforeseen calls are not made on the Government's purse, that Government would certainly afford what relief they could to agriculturists. The Finance Member also referred to All-India Services and observed that the cadre was not filled at present to the full extent. Regarding the reduction in salaries for new entrants, the Punjab Government, he said, had been in correspondence with the Central Government. Non-officials laid stress on the need for agriculturists. Mr. *Zafarullah Khan* (delegate to the Round Table Conference) urged that exchange ratio should be fixed at 1s. 4d. instead of 1s. 6d. Reduction of railway freights and industrial development were among the other points brought forward.

VOTING ON BUDGET DEMANDS

6th. MARCH :—The Government suffered a defeat in the Council to-day, when a token cut, which was moved to urge the reduction of 25 per cent in land revenue, was carried by 37 votes to 28.

The supporters of the motion dwelt on the "deplorable condition of agriculturists" and urged that new sources of revenue should be found in which connection they suggested industrial development. The Finance Member pointed out that a permanent 25 per cent reduction in water rates and land revenue would cost two crores. This was the Government's second defeat of the session, Government having suffered their first reverse earlier to-day, when a token cut urging the necessity of changing the Malkana Rates was carried by a majority of three votes.

8th. MARCH :—"Prohibit liquor consumption all over the Province and meet the consequent loss to revenue by raising taxes" said one Member to-day speaking on the token cut over the excise demand moved to discuss the excise policy of the Minister. He urged that the youth movement should be organised in villages for preaching temperance on rural reconstruction lines. The cut motion was withdrawn.

Earlier, the Council turned down the demand made by a non-official member through a token cut motion for reduction of price of country liquor. Opposing the motion, other non-officials urged that the price of the country liquor should on the other hand be increased. Government Members did not participate in the voting. The cut was negatived. The whole excise demand was voted.

12th. MARCH :—Whether a Provincial Council could discuss on adjournment motion the excise duty on sugar proposed in the Central Budget was the subject of consideration in the Council to-day.

This morning had been fixed for a discussion of the adjournment motion but when the House met, the *President* opined that as the matter did not involve the responsibility of the Punjab Government they had to consider whether the adjournment motion would be in order. Discussion of the matter on a resolution could, however, be permitted under Rule 126.

The *Leader of the House* agreed on this view and after some discussion it was agreed to discuss the question in the shape of a resolution.

Khan Bahadur Habibullah then moved that the imposition of the Excise Duty on sugar was prejudicial to the interests of the growers, consumers and manufacturers in the Province.

Ex-Minister *Manoharlal* said the import duty on sugar was imposed as a protective measure and it was a matter of the greatest surprise that so soon after that the excise duty should be proposed.

Sir *Joginder Singh*, Minister for Agriculture, speaking in his personal capacity, said the Punjab Government were not consulted by the central authorities with regard to the duty. He asked what would be the position of the provinces in the future Federation. Regarding the proposals for such duties, Sir *Joginder Singh* added that if any commodity produced in the province was to be taxed at least a large share of the proceeds should go to the provinces.

Dr. *Gokulchand Narang*, Minister for Local Self-Government, said it was still an open question whether sugar excise duty was a Central or Provincial source of revenue. He read extracts to show that Java held huge stocks of sugar and had already begun to undersell in the Indian markets.

Speakers generally urged that the duty was harmful to the cane-grower, manufacturer and consumer alike.

The resolution was carried without dissentients, Government members, except Ministers, did not participate in the debate.

The *President* had declared a cut motion carried and on the Government pressing for a division, division bells were already ringing when the cut motion was withdrawn. The cut sought to raise the question of assessments with regard to certain damaged crop in Dera Gazi Khan and the *Revenue Member* had spoken on it following which, as the mover did not withdraw the motion, the *President* put it to the House and declared it carried. The Government asked for a division and the House was about to divide accordingly when the *Minister for Education* suggested that the House had not correctly understood the *Revenue Member's* explanation.

Upon this the *President* called upon the *Revenue Member* again to explain the Government attitude. This was done and then the cut motion was withdrawn.

The Government, however, suffered one defeat this afternoon when a token cut was carried under one of the "Irrigation" heads with a view to bring to the notice of the Government waterlogging in certain areas thus affecting their productivity detrimentally. At question time the *Revenue Member* stated that special remissions in land revenue amounting to Rs. 9,19,000 were granted during the rabi 1933.

13th. MARCH:—With a view to drawing the attention to the travelling allowance of its members being insufficient, the Council to-day effected a token cut in the budget demand for General Administration (Reserved).

Government Members, as well as the Unionist Party, according to the Parliamentary practice of elected Members, could not vote on this token cut, as the matter concerned the members. The *President*, however, later ruled that the entire House could vote thereon.

Whether the Standing Committee of the House was a revising body regarding the Council's decisions was another point which came up during the discussion of the cut motion.

Supporters of the token cut complained that while cut in officials' salaries was restored by five per cent, the Council Members' allowances, which was reduced from 12 to 10 rupees per day, had not yet been restored.

The *Finance Member* explaining the position, observed that, while the token cut with a similar object was passed in 1932 by the Council, it did not receive general support of the House and, as the Government were doubtful regarding the exact wish of the House, the Standing Finance Committee was consulted. The latter opined that no action need be taken on the cut.

At this stage the *President* enquired whether the Standing Finance Committee was a revising authority. The *President* added that it was open to the Government to consult anyone, including the Standing Finance Committee, but the question was whether the Committee's decision would supercede the Council's decision.

The *Chief Secretary* explained that there was considerable discussion in 1932 on the motion which was carried in spite of the opposition by some members. The Government was doubtful whether to carry out the cut or not.

The *President* rejoined that the House gave its decision and the *Chief Secretary* was doubtful about the constitutional point. That point was referred to him and he gave his opinion on it. It was for the Government whether to carry out the Council's decision or not. The *President* added that he ought not to have been consulted, if his opinion was not given due weight.

At this stage the *Finance Member* said that financial stringency still continued, but if the House desired the allowance to be raised it would be raised. The Leader of the Unionist Party opposed the motion, which, however, was carried.

16th. MARCH:—A motion for a 'token cut' in the salary of the Minister for Local Self-Government, drawing attention to the paucity of Moslems in hydro-electric branch, was withdrawn after discussion.

A plea for joint Ministerial responsibility was made by *Pandit Nanakchand* in opposing the entire demand under General Administration. He urged that the time had come when Ministers should do away with the communalism jointly. *Pandit*

Nanakchand added that reforms were a failure and unless joint ministerial responsibility was realised, there could be no benefit from reforms. The Pandit was still speaking, when the guillotine fell and all demands were voted.

RESPONSIBILITIES OF MINISTERS

"Extend the control of the Minister over officers such as Commissioners and Deputy Commissioners", was the subject of the ruling in the Council to-day. The President laid down that if a Deputy Commissioner or Commissioner did not act according to the policy determined by the Governor in consultation with the Minister, the latter's duty would be first to approach the Governor, or, if necessary, the Viceroy, or His Majesty's Government, and point out that his policy was not carried out by the officer. Otherwise, he should resign his Ministership.

The matter arose over a reply given by *Dr. Gokulchand Narang*, Minister for Local Self-Government, at question time yesterday, relating to a Municipality in Gurdaspur District put by *Mr. Zafrullah Khan*. The Minister had observed that he was not responsible for the Commissioner's action.

After voting the Budget demands to-day, the *President* referred to this question again and expressed the view that the Minister was responsible for the acts of his subordinates. The President further enquired where elected members of the Council should go after ventilating their grievances if the Minister stated he was not responsible for the actions of his subordinates.

Dr. Gokulchand Narang, replying, observed that this was a constitutional question. It was wrong to say that Ministers were not responsible to the Council. Ministers were guided by the Council but under the present constitutions, Ministers could not interfere in the action of the Deputy Commissioner or Commissioner. They could, however, advise them. The Deputy Commissioners were not under the Ministers, except to a very limited extent.

Sir Phiroze Khan Noon, Minister for Education, remarked that he was responsible for the actions of officers in his department. It was weakness to say that the Minister could not interfere in the actions of a Deputy Commissioner or Commissioner.

The *President* remarked that the Minister was responsible to the House individually. If the policy was not carried out by the Commissioner or Deputy Commissioner, the Minister's duty was to bring it to the notice of the Governor or Viceroy or His Majesty's Government. Otherwise he should resign.

At this stage, the Leader of the House, *Sir Henry Craik*, enquired whether the President was interpreting the rules?

The *President* observed that he never intended to give a ruling, but when a Minister persisted in saying that he was not responsible for the action of an officer under him, the President had to give a ruling. He was sorry that such a constitutional matter had arisen where he had to give a ruling.

Dr. Gokulchand Narang observed that he never asked for a ruling. He added that up to now no such case of noncompliance with the policy laid down by him had occurred. The House then adjourned till the 19th.

19th. MARCH :—Reference to Friday's discussion in the Council on Ministerial control over certain officers was made to-day in the Council when, after questions, *Sir Henry Craik* said :

"During Friday afternoon, on a certain constitutional point, I made certain observations which I now realise might possibly be interpreted as implying disrespect to the Chair. I should greatly regret if you, Sir, should take anything that fell from me, as implying any disrespect or as challenging your authority. No such intention was present in my mind. I would only add this—that I was taken by surprise by the discussion referred to, on a purely hypothetical matter, which I do not think, was fair to have been referred to the Chair at all. I would refer in this connection to the opinion expressed by my predecessor as Leader of the House, *Sir Fazli Hussain* in 1930, when he said, 'I may venture to point out that it is not right for any of us to ask the Chair to enter into constitutional controversies.

Sir Henry Craik added that in future no such issue would be raised by any member on the Government benches without previous consultation with the Chair and without his concurrence as Leader of the House and as representative of the Government on these matters.

The *President* replying said : "I am glad to hear a personal explanation made by the Leader of the House. I am sure it will remove every possibility of his being

misunderstood. Further, I heartily welcome his suggestion that Hon'ble members should refrain in future from raising in this House controversial constitutional questions and bringing in the Chair."

It will be recalled that on Friday last, the President of the Council gave a ruling that if a Deputy Commissioner or Commissioner did not act according to the policy determined by the Governor, in consultation with the Minister, the latter's duty would be first to approach the Governor, or if necessary the Viceroy, or His Majesty's Government, and point out that his policy was not carried out by the officer. Otherwise, he should resign his Ministership.

The matter arose over a reply given by *Dr. Gokulchand Narang*, Minister for the Local Self-Government, relating to a Municipality in Gurdaspur District, put by *Mr. Zafullah Khan*. The Minister had observed that he was not responsible for the Commissioner's action.

PUNJAB RELIEF OF INDEBTEDNESS BILL

20th. MARCH :—On the motion of the *Finance Member*, the Council adopted the proposal for circulation of the *Punjab Relief of Indebtedness Bill* with a view to eliciting opinion.

PUNJAB TOBACCO VEND FEES BILL.

Earlier, the House adopted clauses of the *Tobacco Vend Fees Bill* with some modifications. The Bill was then referred back to the select committee for formal incorporation of changes after which it will be presented for final adoption.

WOMEN IN LOCAL BODIES (CONTD.)

22nd. MARCH :—The Council rejected by 25 to 49 votes a resolution that disqualification for registration on electoral rolls of Municipalities and District Boards should be removed in respect of women generally, and they should be allowed to stand as candidates for those bodies. There was a lively discussion on the proposal, which was moved by *Srimathi Lekhawati Jain* on the 20th. February.

The *Minister for Local Self-Government* pointed out that Municipalities were empowered to remove the sex-disqualification by adopting a resolution to that effect. He stated that if women were enfranchised one community would be benefitted while another community, namely Moslems, will not have that advantage as women of that community might not go as freely to the polling booths. The Minister expressed Government sympathy with the resolution and added that Government would invite opinions thereon from Municipalities and District Boards.

MUNICIPAL EXECUTIVE OFFICERS' AMEND. BILL

23rd. MARCH :—The division bell failed to function in the Council to-day apparently owing to a defect in mechanism, and this being the last day of the Budget session, the House adjourned *sine die* without taking a decision on the motion before it, namely, that the Punjab Municipal Executive Officers' Amendment Bill be referred to a Select Committee. Discussion proceeded throughout the day and towards the close of the sitting, it was proposed that the question be put to the House. Some members pressed for a division on this closure motion but division bell would not ring. The House then adjourned *sine die*.

Special Session—Simla—26th. to 28th. June 1934

THE RURAL INDEBTEDNESS BILL*

The three-day's session of the Council opened on the 26th. June 1934 in the hall of the Legislative Assembly, Simla, for which special permission was granted by the President, Sir R. K. Shanmukham Chetti. The *Hon'ble Chaudhury Sir Sahab-uddin*, President of the Council, was in the chair.

*The Bill aimed to amend the law relating to the relations between debtors and creditors and sought among other things to define the term "agriculturist" according to the Deccan Agricultural Relief Act, and adopted the definition of 'interest' and 'loan' from the Usurious Loans Act of 1918. The Bill also proposed to amend the Provincial Insolvency Act of 1920 so as to enable the debtor, whose debts exceed Rs. 250 and

The only item of discussion by the Council was the Punjab Relief of Indebtedness Bill. The *Hon'ble Mr. D. J. Boyd*, Finance Member moved that the Bill be referred to a Select Committee consisting of Rao Bahadur Chottu Ram, Khan Bahadur Sardar Habib Ullah, Khan Bahadur Nawab Muhammad Hayat Qureshi, Dewan Bahadur Raja Narendranath, Mr. Manohar Lal, Sardar Bishen Singh, Pir Akbar Ali, the *Hon'ble Sir Miles Irving*, Mr. J. D. Anderson, nominee of the President and the mover.

It might be remembered that the Bill was introduced on March 20 last in the Lahore session of the Council. In the statement of objects and reasons, it was mentioned that in 1929 the total volume of agricultural debt in the Punjab was estimated by the Provincial Banking Enquiry Committee at 135 crores of rupees. Since that date, the sharp fall in the prices of agricultural produce had made the pressure of debt on the cultivator even heavier than these figures indicated, and the problem of finding some relief had now become a very acute one. At the end of March 1932, the Punjab Government appointed a Committee of members of the Legislative Council to consider this problem and to submit proposals for its solution. The report of the Committee had been debated in the Legislative Council and had been for some time under the careful consideration of the Government.

Mr. Boyd moving for a Select Committee referred to the voluminous mass of opinions collected on the Bill and anticipated a feast of oratory in this session. He alluded particularly to the opinion of Mr. Ormerod, District and Sessions Judge, Ambala, who described the measure as 'pompous futility'. The opinions of High Court judges were not altogether one of condemnation. Zamindars, while viewing the measure as necessary, wanted drastic changes.

Mr. Boyd assured the House that the Government was not trying any heroic measures but that they had brought in a measure to meet the present abnormal conditions in the Punjab, where springs of credit were disappearing. Certain heroic measures were attempted in Rumania, Yugoslavia and United States; but the attempts failed to secure that desired objective. It only proved that any interference with economic laws was almost as difficult and dangerous as interference with the laws of nature. He reminded the House that zamindars of the Punjab already enjoyed a degree of protection and privilege under the Land Alienation Act. While some thought that the Bill did not go far enough, others, particularly money-lenders, said that the Bill went too far and, indeed, there was hardly any language in the vocabulary which was not used to condemn the Bill. But, if the House studied the provisions of the Bill calmly, they would find there was good deal to commend it instead of dismissing it as wholesale robbery. In the Punjab, the business of

whose total property does not exceed Rs. 1,000 to take advantage of the simplified procedure provided by Section 74 of that Act. In seeking to amend the Usurious Loans Act, the present Bill of the Punjab Government further made it obligatory on the court to take one of the forms of action laid down in Section 3 of the Act of 1918, if two conditions exist, viz., (a) that interest charged was excessive and (b) that the transaction as between the parties thereto was substantially unfair.

The Bill also sought to define what rates of interest shall and shall not be deemed to be excessive and intends to enable Government to set up Debt Conciliation Boards, in any area in the province, defining at the same time the powers and functions of such Boards and the effect of reference to such Board. It is stated to be the intention of the Punjab Government if this Bill is passed into law, to set up Debt Conciliation Boards as an experimental measure in one or two carefully selected areas. The Bill further proposed to amend the provisions of the Code of Civil Procedure, dealing with the arrest and detention of the judgment-debtor by making it obligatory for the court to issue a notice, before issuing the warrant of arrest and allowed the court to take into consideration any allegations made by the decree-holder before disallowing the application for the arrest of the judgment-debtor.

Loans by banks are not subject to provisions of this Bill.

The Bill also enabled the agriculturist debtor to make a deposit in court, either in full or part payment of his debt, with a view to relieve him from the burden of interest. Many of the provisions of this Bill would appear to have been based on certain provincial legislation, like those of the United Provinces Reduction of Interest Bill, the Central Provinces Debt Conciliation Bill, the Bengal Money Lenders' Bill and the United Provinces Agriculturists' Relief Bill.

financing agriculture was now at a standstill and the Bill was an attempt to bring the debtor and the creditor together into a mutually advantageous position. Mr. Boyd hoped that nothing would be done to embitter the relations between these two classes of people. In short, the Bill was intended to meet the present-day conditions of credit in the Punjab and protect the agriculturists from money-lenders.

Mr. Mahomed Din Malik opposed the Bill as it really aimed at safeguarding the Government revenues.

Mr. Allahdad Khan supported it and warned money-lenders against more murders, if zamindars were not given relief.

Mr. Mukundlal Puri referred to the unanimous report of the Committee on indebtedness which said that permanent relief could come only through industrial development and subsidiary occupation. He criticised the measure at length as being unfair to some classes. The Council then adjourned.

27th. JUNE :—Mr. Chaudhary was opposing the motion for adjournment moved by Mr. Habibullah and said that Mr. Habibullah should not, according to previous ruling of the Chair, be allowed to participate in the debate as he was financially interested in the matter and would benefit if occupier's rates on fodder were not enhanced.

The President said that his ruling had been misquoted and asked the Member to withdraw.

Mr. Allahdad Khan withdrew his remark and thereafter Mr. Allahdad said that Mr. Habibullah had lost the confidence of Zamindars and of his constituency.

The President called on him to conclude his speech and not persist in disorderly conduct. He asked the Member to resume his seat.

Mr. Allahdad Khan said, "Then, Sir, I oppose the Bill" and sat down.

The President said that as the Member had persisted in disorderly conduct, he would ask him to withdraw from the House.

Mr. Labh Singh asked the President to review his order of expulsion as it was rather harsh. He hoped the Chair would show indulgence.

President :—You mean he should be forgiven.

Voices :—Yes.

Mr. Allahdad Khan then entered the chamber amidst cheers.

Mr. Habibullah's adjournment motion for protesting against the enhancement of occupiers' rates on fodder was carried by 33 to 25 votes.

Sir Miles Irving said that the concession had not, during the past three years, increased the acreage for fodder and its enhancement had enabled the Government to give larger relief in respect of cotton and wheat crops.

The original occupiers' rate was Rs. 1-8 per acre which was increased to Rs 2-8 fetching for the Government an extra revenue of Rs. 26 lakhs.

The House at this stage adjourned.

28th. JUNE :—The Council concluded the three-days' session to-day and adjourned *sine die*. The Punjab Relief from Indebtedness Bill was referred to a Select Committee of thirteen members.

But when the President and Government found that a large number of additional members were being proposed for the Committee they stuck to the committee of thirteen.

The "no-confidence" motion in the Chair given notice of by Chaudhury Allahdad Khan was not moved. Four members took Chaudhury Allahdad Khan to the Chair and after some talks, the matter was dropped by the mover.

The Council then adjourned *sine die*.

THE B. & O. LEGISLATIVE COUNCIL

LIST OF MEMBERS

- | | |
|--|--|
| THE HON'BLE BABU RAJANDHARI SINGH— <i>President.</i> | 38 MAULAVI SAIYID MUHAMMAD HAFEEZ |
| RAI BAHADUR LAKSHMIDHAR MAHANTI— <i>Deputy President.</i> | 39 RAI BAHADUR DALIP NARAYAN SINGH |
| 1 THE HON'BLE M. J. T. WHITTY (<i>Home Member</i>) | 40 BABU CHANDRESHVAR PRASHAD NARAYAN SINHA |
| 2 THE HON'BLE BABU NIRSU NARAYAN SINHA (<i>Finance Member</i>) | 41 BABU MAHESHVARI PRASHAD NARAYAN DEO |
| 3 THE HON'BLE DR. SIR GANESH DATTA SINGH (<i>Minister</i>) | 42 BABU JAGDEVA PRASHAD SINGH |
| 4 THE HON'BLE MR. SAIYID ABDUL AZIZ (<i>Minister</i>) | 43 BABU SARDANANDA KUMAR |
| 5 MR. R. E. RUSSEL | 44 BABU RAMASRAY PRASHAD CHAUDHURI |
| 6 MR. H. C. PRIOR | 45 BABU HAREKRISHNA CHAUDHURY |
| 7 MR. W. G. LACEY | 46 BABU SRI NARAYAN MAHTA |
| 8 MR. J. W. HOULTON | 47 BABU RAMESHVAR PRASAD SINGH |
| 9 MR. B. K. GOKHALE | 48 KHAN BAHADUR SHAH MUHAMMAD YAHYA |
| 10 MR. H. R. MEREDITH | 49 MR. MUHAMMAD YUNUS |
| 11 MR. F. A. BETTERTON | 50 MR. SAIYID MOIN-UD-DIN MIRZA |
| 12 MR. W. B. BRETT | 51 KHAN BAHADUR ABDUL WAHAB KHAN |
| 13 MR. H. LAMBERT | 52 KHAN BAHADUR HAJI MUHAMMAD BUX CHAUDHURI |
| 14 MR. N. F. PECK | 53 MAULVI ABDUL AZIZ KHAN |
| 15 MR. Y. A. GODBOLE | 54 BABU KALYAN SINGH |
| 16 MR. J. E. SCOTT | 55 RAI BAHADUR HALDAR PRASAD SINGH |
| 17 BABU SHIVA SHANKAR JHA | 56 BHAIYA RUDRA PRATAP DEO |
| 18 BABU GUR SAHAY LAL | 57 BABU SHYAM NARAYAN SINGH SHARMA |
| 19 MR. J. THOMAS | 58 RAI BAHADUR SARAT CHANDRA RAY |
| 20 MR. W. H. MEYRICK | 59 RAI BAHADUR LAKSHMIDHAR MAHANTI |
| 21 MR. IAN A. CLARK | 60 BABU HARIHAR DAS |
| 22 RAJA BAHADUR HARIHAR PRASHAD NARAYAN SINGH | 61 RAI BAHADUR LOKNATH MISRA |
| 23 MR. A. E. D'SILVA | 62 BABU BRAJAMOHAN PANDA |
| 24 REV. BRAJANANDA DAS | 63 BABU BIRBAR NARAYAN CHANDRA DHIR NARENDRA |
| 25 RAI BAHADUR KEDAR NATH | 64 BABU SHIB CHANDRA SINGHA |
| 26 MR. R. CHANDRA | 65 BABU DEVENDRA NATH SAMANTA |
| 27 CHAUDHRI SHARAFAT HUSSAIN | 66 BABU RAMESHWAR PRATAP SAHI |
| 28 BABU BIMALA CHARAN SINGH | 67 BABU BADRI NARAYAN SINGH |
| 29 RAI SAHIB SRI BALLABH DAS | 68 BABU RUDRA PRATAP SINGH |
| 30 BABU RAM NARAYAN | 69 BABU BISHUNDEO NARAYAN SINGH |
| 31 RAI BAHADUR RAM RANVIJAYA SINGH | 70 MAULAVI KHALILUR RAHMAN |
| 32 RAI BAHADUR HARENDRA NATH BANERJI | 71 MAULVI MUHAMMAD ABDUL GHANI |
| 33 RAI BAHADUR BIRENDRA NATH CHAKRAVARTI | |
| 34 MR. SAGRAM HEMBROME | |
| 35 MR. GARBETT CAPTAIN MANKI | |
| 36 MAHANTH MANMOHAN DAS | |
| 37 MR. SAIYID MUHAMMAD MEHDI | |

72 MAULAVI SHAIK MUHAMMAD SHAFI	89 BABU RAJESHVARI PRASHAD
73 KHAN BAHADUR HABIBUR RAHMAN	90 BABU HARMADEO PRASAD SINHA
74 MAULAVI ABDUL WADOOD	91 CHAUDHURI MUHAMMAD NAZIRUL HASAN
75 MAULAVI MUHAMMAD HASAN JAN	92 BABU RADHA MOHAN SINHA
76 KHAN BAHADUR SAGHIRUL HAQ	93 BABU RAMJIWAN HIMAT SINGKA
77 MR. S. M. CASSIM	94 MR. SACHCHIDANANDA SINHA
78	95 RAJA PRITHWI CHAND LAL CHOWDREY
79 BABU RAMANUGRAH NARAYAN SINGH	96 RAI BAHADUR DWARKA NATH
80 BABU BHAGWATI SARAN SINGH	97 RAI BAHADUR SHYAMNANDAN SAHAY
81 MAULVI SHAIKH ABDUL JALIL	98 BABU SRIKRISHNA PRASAD
82 BABU GODAVARIS MISRA	99 BABU JOGENDRA MOHAN SINHA
83 RAI BAHADUR SATIS CHANDRA SINHA	100 BABU RADHA PRASAD SINHA
84 MR. KAMALDHARI LALL	101 MR. NANDA KUMAR GHOSH
85 RAI BAHADUR LACHEMI PRASAD SINHA	102 RAI BAHADUR KRISHNADEVA NARAYAN MAHTHA
86 BABU JAGANNATH DAS	103 BABU LALITA PRASHAD CHAUDHURI
87 BABU RADHARANJAN DAS	104 BABU KUNJA BIHARI CHANDRA
88 BABU NIKUNJA KISHORE DAS	105 BABU MANINDRA NATH MUKHERJI
	106 DR. SIR SAIYID SULTAN AHMAD

Proceedings of the Council

BUDGET SESSION—PATNA—14th. FEBRUARY TO 23rd. MARCH 1934

The Bihar Earthquake Tragedy

The earthquake situation in Bihar was the chief topic of discussion on the opening day of the Budget Session of the Bihar & Orissa Legislative Council at Patna on the 14th. February 1934. His Excellency the Governor was present in the distinguished gallery.

Initiating the discussion, the *Finance Member* said that they were meeting to-day under the shadow of a great tragedy. Such disaster had not fallen upon the province within the memory of man. In a few seconds time the result of half a century of human toil and hope had been shattered and Bihar lay a stricken country. The effects of the earthquake of January 15 in Bihar was so terrific that for sometime communication with a great area was completely cut off.

Roads, railways and telegraph lines were out of action. Telegraph communication between Patna and North Bihar is through Muzaffarpur. When the earthquake occurred the line from Patna to Muzaffarpur broke down and was not reopened till 10 a. m. on the morning of January 16. Telegraph lines from Muzaffarpur to Motihari reopened on January 18 and to Darbhanga on January 19. Telegraph line between Muzaffarpur and Sitamarhi was not restored till January 24. Over approximately nine hundred miles there was hardly a mile of track of the Bengal and the North Western Railway which was not seriously affected.

The total number of deaths reported up-to-date was 7,057. The greatest loss of life occurred as might be expected in Tirhut Division where the number of deaths was 5,295. In Muzaffarpur district alone 2,484 lives were lost. In Muzaffarpur town there were 956 deaths reported. In Sitamarhi Sub-division, where perhaps the shock was the most intense and havoc most complete, 942 lives were lost mostly in Sitamarhi itself and in Belsand and Pupri police stations in Hajipur Sub-division in the south of the district the total loss of life was 227, in Darbhanga the loss of

life was 2,128, over half of it was in Madhubani Sub-division. In Champaran the total loss of life was 499 mostly in Sadar Sub-division. In Monghyr the loss of life occurred almost entirely in the town. There it was put to twelve hundred.

The death roll in other districts are as follows : Patna 138, Gaya 34, Shahabad 22, Saran 184, Bhagalpur 174, Purnea 2. These figures were, except in the case of Monghyr town, the result of counting every case through the agency of the police and village watchmen and staff employed in clearing ruined quarters of towns.

Dealing with the material damage done by the earthquake which was impossible to estimate at present, he added that the damage to Government property consisted of buildings destroyed or damaged such as courts, residences, halls, hospitals, schools, police stations, registration offices, and so on and damage to embankments. In some cases districts and sub-divisional headquarters have to be completely rebuilt and lakhs of rupees would be required to make good these losses. The total cost of all these new buildings and repairs were likely to be over rather than under a crore of rupees. The loss to the Bengal and North Western Railways would be colossal. Damage to private property in Monghyr, Muzaffarpur and Darbhanga was terrible.

The first news of the disaster at Muzaffarpur reached the Government on the morning of January 16 by a letter sent down by hand during the night. From Monghyr the first news was by telegram despatched by the Commissioner from Bhagalpur on the evening of January 15, which reached the Government in Patna on the morning of 16. In the same morning a party of four doctors and five senior medical students were despatched to Monghyr and a party of seven Public Health doctors to Muzaffarpur and Tirhut on the morning of 17. At midday on the 16th the Government telegraphed to Calcutta for two aeroplanes which on arrival were used for getting news of Muzaffarpur and making air reconnaissances in the affected parts of North Bihar.

The first question has obviously been one of finance. The local Government could not even afford to make good their own losses, much less give any help to others however sore their need might be. Sir Alan Parsons, Finance Secretary to the Government of India visited Patna a few days ago. The Government of India were prepared to meet the local Government in a generous spirit and the matter was under consideration but he was not yet at liberty to make a definite statement regarding the extent or the manner in which it was proposed the help would be provided. He might, however, say that the local Government hoped that they would be in a position to give loans to private persons to help them in the reconstruction of their houses and with this object a bill was being introduced immediately in the Council.

After expressing deep gratitude they owed to the army for the help they rendered he concluded : "The disaster has drawn us together. Our minds have been touched to finer issues. Let us see to it that in the New Bihar that will surely rise upon the ruins of the old this happy union will continue. That as we are now striving together to bring comfort and relief to the homeless, bereft and destitute, so we will always strive to preserve and foster this admirable spirit and create Bihar in which life would be fuller and nobler for generations that will come after."

Financial Statement for 1934-35

The Hon'ble Mr. *Nirsu Narayan Sinha*, Finance Member then introduced the budget estimates for the year 1934-35. He informed the Council that the budget he was presenting had been finally approved on January 15 just 2¼ hours before the earthquake.

That calamity will have a serious effect on some of the principal heads of revenue, e, g., the recovery of land revenue is likely to be delayed, irrigation receipts from the Dhaka canal will be reduced, receipts for stamps, registration and house rent will decrease and excise revenue may also be affected. On the other hand, expenditure must be increased under almost all heads. It had not been possible within the short time available to frame even the roughest estimate of loss of revenue or increase of expenditure.

The Finance Member had, therefore, decided to present the budget as it had been approved before the earthquake as a justification for the demands which the Council would be asked to vote, though in the altered circumstances it could not

of rupees. He also suggested issue of premium bonds of small units on the lines adopted by the French and the Belgian Governments and the city corporation.

Mr. *Abdul Ghani* said that the whole empire and the British Government should come to the help of stricken Bihar.

Mr. *Srikrishna Prosad* said that more lives could be saved in Monghyr if the Government promptly equipped the local officers with necessary resources and employed men to remove the debris and extricate persons buried under it.

17th FEBRUARY :—The discussion on the earthquake situation concluded to-day.

Mr. *Sacchidananda Sinha*, leader of the Opposition, said that the statement of the Secretary of State that five crores would be adequate to rebuild and rehabilitate stricken Bihar was a gross under-estimate. He thought that much more would be required to meet the requirements of the situation and the loan raised with the purpose should not be charged to the hapless province of Bihar but to the whole of India. He appealed for co-operation of all to reconstruct devastated Bihar and its economic and industrial life.

Winding up the discussion, Mr. *Nirsu Narayan Sinha*, Finance Member congratulated the members on the admirable manner the debate was concluded and assured them that all the suggestions made would merit careful consideration of the Government. H. E. the Viceroy and the Government of India were very sympathetic. The local Government would do best to urge upon them Bihar's necessity and they hoped that the Government of India would meet the demands of the local Government in a generous spirit. At the same time, while struggling in a national adversity like this, they as Biharis should put their shoulders to the wheel and thus accomplish the task of reconstruction of the province. The Council then adjourned till the 19th. March.

VOTING ON BUDGET GRANTS

19th. MARCH :—Voting on Budget grants commenced to-day. *Rai Bahadur Lachmi Prasad Sinha* under token cuts on the agriculture demand urged the need of the establishment of land mortgage banks to provide long term loans for the purpose of house buildings to those whose houses have been destroyed by the recent earthquake and adoption of necessary steps by the Government to reclaim agricultural lands damaged by the earthquake.

Several non-official members supported the proposal. The Government replying pointed out that indirect loans for the purpose of house building were already being advanced under the Natural Calamity Loans Act. But under the present financial stringency the Government could not undertake fresh liability of giving direct loan by establishment of mortgage banks. Various measures to deal with the problem of sand deposits were detailed and the members were assured that the Government were doing all that was possible to help the agriculturists by removal of sand and reclamation of agricultural lands. The cut motions were then withdrawn.

20th. MARCH :—Under token cuts in the provision for Orissa canals under the Irrigation demand, Mr. *Jagannath Das* raised a debate on Government policy regarding the flooded tracts in Orissa and in particular the action taken regarding the left embankment of the *Baitarini*.

Several Orissa members, including Mr. *Godawaris Misra* and *Rai Bahadur Lakshmidhar Mahanti* complained that Government had not adequately dealt with the problem of flood prevention and had not carried out the various recommendations of the Orissa Flood Committee in that connection.

Hon. Mr. *Nirsu Narayan Sinha*, Member-in-charge, Irrigation Department, replying, maintained that Government had carried out the majority of recommendations of the Flood Committee and had done their best to mitigate the suffering caused by floods. He pointed out that as the Expert Committee had reported it was humanly impossible to prevent floods altogether.

The cut motion was ultimately withdrawn. The Council then voted the entire demands under Irrigation, Registration, Forests and Stamps.

Under a token cut in the Land Revenue demand, *Rai Bahadur Lachmi Prasad Sinha* urged the necessity for suspension of land revenue and cess for the year and remission of cess in areas worst affected by the earthquake. Hon'ble Mr. *J. T. Whitty*, on behalf of Government, replying pointed out that time for payment of land revenue and cess was already being allowed in the worst affected areas in North Bihar

but a general suspension of land revenue and cess for a longer period would be undesirable. The discussion was not concluded when the Council adjourned.

21st. MARCH :—Government suffered the first defeat of the session when a token cut of Rs. 10. moved by Mr. *Abdul Ghani* on the demand for stationery and printing, was carried by 46 votes to 29 in the Council to-day. The mover urged that all Government publications be supplied free to non-official members of the Council.

Earlier, discussion was resumed on the token cut motion of *Rai Bahadur Lachmi Prasad Sinha* urging the necessity for suspension of land revenue and cess for a year in areas worst affected by the earthquake.

Rai Bahadur Dwarkanath and Mr. *Sachidananda Sinha*, supporting the motion, appealed to Government to extend relief to the affected areas.

Mr. *Chandreswar Prasad Narayan Singh* pointed out that the stage had not come when they should ask for suspension of land revenue and cess for a longer period. It was the duty of landlords and tenants to do their best to pay dues and also it was the duty of Government to help them to restore pre-earthquake condition.

Mr. *J. T. Whitty*, on behalf of Government, assured the members that the attitude of Government was sympathetic to give relief where relief was needed in affected areas in North Bihar. Time was being already allowed by Government for payment of revenue and cess. Instructions would also be issued to District Officers in other affected areas to deal sympathetically with cases of real hardship.

22nd. MARCH :—The policy of the Minister for Local Self-Government *Sir Ganesh Dutta Singh* in superseding the Cuttack Municipality and making nominations to local bodies was criticised by non-official members in the Council to-day under a token cut motion on provision for Ministers. Mr. *Godawaris Misra* and Mr. *Jogendra Mohan Sinha* asserted that the supersession of the Cuttack Municipality was unjustified and accused the Minister of favouritism in making nominations to local bodies.

Mr. *Lacey*, Secretary to the Local Self-Government Department, justified Government action in superseding the Municipality stating that the record of mal-administration of the Municipality extending over a long period left no alternative but to supersede it in the interest of rate-payers.

Sir Ganesh Dutta Singh, Minister, repudiated the charge of favouritism in nominations and maintained that nominations were rightly made.

Mr. *Sachchidananda Sinha*, Leader of the Opposition, complained that the Minister had not followed the 'via media' of partial supersession as provided in the recently amended legislation. He thought that there was no settled principle behind nomination and deprecated the nomination of a fairly large number of members of the Legislative Council to local bodies which in his opinion however well-intentioned would prove demoralising.

The cut motion was ultimately withdrawn. The guillotine was then applied and the remaining budget demands were voted without discussion.

B. & O. EMERGENCY PROVISIONS BILL

23rd. MARCH :—Some Opposition members in the Council, led by Mr. *Sachchidananda Sinha*, staged a walk-out to-day at the consideration stage of the Bihar and Orissa Municipal (Emergency Provisions) Bill. After the opposition amendment for circulation of the Bill was lost, they divided the House thrice consecutively opposing consideration of the motion and two fresh clauses of the Bill and when they could not carry their points, they walked out. Afterwards the Bill was proceeded with clause by clause and passed by the Council.

The bill provided that if in the opinion of the Local Government the commissioners of any municipality were, owing to the effects of the recent earthquake, unable to discharge their functions satisfactorily, the Government may direct the commissioners of such municipalities to be relieved of all their functions for such period as may be specified. The bill would remain in force for three years.

The President then read to the House the Governor's order for proroguing the Council.

THE N. W. FRONTIER LEGISLATIVE COUNCIL

LIST OF MEMBERS

- | | |
|--|---|
| 1 THE HON'BLE KHAN, KHAN BAHADUR, KHAN ABDUL GHAFUR KHAN, KHAN OF ZAIDA (<i>President</i>) | 20 GHULAM HAIDER KHAN, KHAN BAHADUR |
| 2 THE HON'BLE MR. G. CUNNINGHAM (<i>Executive Member</i>) | 21 GHULAM HASSAN ALI SHAH alias HASAN GUL PIR |
| 3 THE HON'BLE KHAN BAHADUR NAWAB SIR ABDUL QAYUM KHAN (<i>Minister</i>) | 22 KHAN HIDAYTULLAH KHAN |
| 4 THOMSON, MR. J. S. | 23 KHAN HABIBULLAH KHAN |
| 5 DUNDAS, MR. A. D. F. | 24 HAMIDULLAH KHAN, KHAN BAHADUR NAWAB |
| 6 ADAM, MR. J. H. | 25 ISHER DAS, RAI BAHADUR LALA |
| 7 COLONEL C. I. BRIERLY | 26 KARAM CHAND, RAI BAHADUR |
| 8 SARDAR, RAJA SINGH | 27 KHUDA BAKSH KHAN, MALIK |
| 9 ALLAH NAWAZ KHAN | 28 LADHA, RAM, LALA |
| 10 KHAN GHULAM RABBANI KHAN | 29 MUHAMMAD ZAMAN KHAN KHAN SAHIB |
| 11 HASSAN ALI KHAN, SULTAN KHAN SAHIB | 30 KHAN MUHAMMAD ABBAS KHAN |
| 12 KHAN MALIK-UR-RAHMAN KHAN, KAYANI | 31 MUHAMMAD SHARIF KHAN, |
| 13 NARINJAN SINGH BEDI, BABA | 32 MUHAMMAD AYUB KHAN, MR. |
| 14 KHAN ABDUL GHAFUR KHAN | 33 MEHR CHAND KHANNA, RAI SAHIB, LALA |
| 15 ABDUL QAYUM KHAN, MR. | 34 VACANT |
| 16 ABDUL RAHMAN KHAN | 35 PIR BAKSH, MR. |
| 17 KHAN ABDUL HAMID KHAN KUNDI | 36 JAGGAT SINGH, SARDAR |
| 18 ABDUR RAHIM KHAN, KUNDI, KHAN BAHADUR | 37 ROCHI RAM, RAI SAHIB LALA |
| 19 BAZ MUHAMMAD KHAN, KHAN BAHADUR, NAWAB | 38 SULTAN MUHAMMAD KHAN, KHAN BAHADUR |
| | 39 SAMUNDAR KHAN, MR. |
| | 40 TAJ MUHAMMAD KHAN, KHAN BAHADUR |

Proceedings of the Council

BUDGET SESSION—PESHAWAR—5th. FEBRUARY to 22nd. MARCH 1934
FINANCIAL STATEMENT FOR 1934-35

"Our revenue is estimated at Rs. 163 and a half lakhs and expenditure at Rs. 173 and three-fourth lakhs. We are budgeting for a deficit of Rs. 10 and three-fourth lakhs at the end of the coming financial year. But for the continuance of the salary-cut for another year, the deficit would have been bigger by two lakhs"—this position was disclosed by budget estimates for 1934-35 which Mr. George Cunningham, Finance Member, presented to the N. W. Frontier Legislative Council, which opened its Budget Session at Peshawar on the 5th. March 1934.

"A considerable part of this deficit", said the Finance Member, "is of course explained by the inclusion in next year's budget of special items amounting to 4 and one-fourth lakhs of rupees, namely, one lakh and thirty thousand rupees for the construction of the Council Hall; Rs. 44,000 election charges; one lakh of rupees resumed from building grants to the District Board, Peshawar, in the previous years but not yet spent; Rs. 25,000 for the scheme for the supply of drinking water, and one lakh and seventeen thousand rupees for new buildings for the P. W. D."

Compared with the revised estimates for the current year, the decrease of four lakhs and forty-seven thousand rupees in revenue is anticipated mainly from excise license fees, forests, education, and civil works, while expenditure will increase by five lakhs and seventy-four thousand rupees on items postponed from last year.

Touching the capital debt account, the Finance Member called the House's attention to the provision of Rs. 1 and a half lakhs loan to the Bannu Municipality for the water-supply scheme and the loan for which the local Government applied to the Government of India for the proposed Hydro-Electric Scheme at Malakand. The expenditure on this scheme will probably be spread over four years, the total loan required being Rs. 42 lakhs from which Rs. 4 lakhs will be required next year. He hoped that when the scheme was complete, it would mean both a great addition to the comforts and amenities of life for the people of the Peshawar District and a great opportunity for them to improve their agricultural and economic position.

The Finance Member reminded the house that about the end of 1934 the question of subvention would come up for reconsideration and the present seemed to be a suitable opportunity for taking stock of these first three years under the reforms. "We started our career as a Governor's province in April 1932 with an opening balance of ten lakhs, granted by the Government of India, partly to give us a working balance for general purposes, partly to enable us to meet the specific items of two and a half lakhs for the Secretariat building and the Council Hall, half a lakh for the Public Works Department workshops, two lakhs for additional police and miscellaneous charges. Of these we completed some, and carried forward the cost of others from the current budget to the next budget. We may, therefore, say that from the opening balance of ten lakhs, five lakhs have been either spent or included under its proper head in the next budget. If, therefore, we were to end the coming financial year with a balance of five lakhs, we might say that over the period of these first three years we had exactly balanced our budget. Instead of Rs. 5 lakhs, we shall have a balance of Rs. 1 and three-fourth lakhs."

The Finance Member drew attention to the fact that the Local Government spent Rs. 8 and a half lakhs on the construction and improvement of roads from the grant received from the Central Road Development Fund. Concluding, the Finance Member said: "When we in the future look back on these three years, it is to be hoped that we shall be able to say we have passed without discredit through the most difficult economic period which this generation has known."

OBEIDULLAH'S HUNGER-STRIKE

8th. MARCH:—The first adjournment motion in the history of the Council was discussed to-day, when *Malik Khuda Baksh*, Leader of the Independents, moved an adjournment motion to discuss a matter of urgent public importance, namely, the release of Obeidullah, nephew of Abdul Gafoor Khan, now on hunger-strike in the Multan Jail whose condition was stated to be precarious.

Sir George Cunningham, Leader of the House, waived his objection and the President fixing 11-30 a. m. for the discussion the House adjourned for an hour. When the House reassembled, *Malik Khuda Baksh* appealed for the release of Obeidullah on humanitarian grounds. The delicate condition of the prisoner and the serious nature of the disease—tuberculosis—contracted in the jail should be sufficient to induce the Government to order his release.

Several speakers participated in the discussion, a non-official nominated member suggesting release if Obeidullah agreed to work for the economic uplift of the agriculturists.

Sir George Cunningham reiterated the Government's position, as already announced in the recent communique. The Government could not be forced to a particular line of action by prisoners by hunger-strike. They were not inspired by a spirit of vindictiveness in dealing with Red Shirt prisoners. Since July last they had released 1570 out of 1700 political prisoners gradually before the expiry of their full term. Imprisonment was an unfortunate necessity and had to be accepted as a means of enforcing law and order. Obeidullah could be released on furnishing the requisite security. The motion was talked out. The House then adjourned.

GENERAL DISCUSSION OF BUDGET

9th. MARCH:—*Malik Khuda Baksh*, Leader of the Opposition, initiated the general discussion on the budget to-day. He complained about Government's indifference towards the Council's opinion, embodied in the resolutions passed in the

previous session, asking for fifty per cent reduction in land revenue and constructive suggestions offered during the last two budget sessions.

Half a lakh for publicity offices and four lakhs expenditure in England came in for ruthless and uncompromising criticism at his hands. He did not see justification for the enhancement of the emoluments and the creation of new posts and offices and called the reformed constitution a white elephant. He, however, acknowledged that the Government had moved in the right direction in introducing three new bills to assist agriculturists, but he criticised their dilatory methods in circulating them.

Several speakers participated in the general discussion paying a tribute to the Finance Member for painting a gay and lovely picture on the back-ground of the economic depression and financial gloom.

Rai Bahadur Ishwardas suggested to the Government to utilise the interval up to the inauguration of the new constitution in the development of the economic resources of the province to meet the increasing expenditure.

Several members urged the local needs of their constituencies and relief of agricultural distress. Some expressed fears that the Malakand Hydro-Electric Scheme was proving a failure not befitting the agriculturists but the military cantonment. The House then adjourned.

10th. MARCH:—The Council concluded the general discussion on the Budget to-day. Several non-officials urged that the Government of India should be pressed to raise a subvention of one crore and forty-six lakhs of rupees recommended by the Haig Committee as without it the Frontier Province would find it increasingly difficult to make both ends meet.

A Hindu member attacked the Government for ignoring minorities in the recent recruitment of Naib Teshildars and Police Sub-Inspectors. *Moulvi Noor Baksh* urged one lakh reduction in Jail expenditure and 15 per cent in Civil Works. *Khan Bahadur Abdur Rahim* wanted a change of heart on the part of Government and felt bitterly disappointed that Government did not respect the Councils opinion, embodied in the resolution passed. He was contemplating resignation and advised his colleagues as conscientious representatives of the people to follow the same course. Sir *Abdul Qayum*, Minister, defending the attacks on the transferred Departments, assured the minorities that Government would be more sympathetic towards their claims, when the subvention was increased. The present limited finance was a necessary check on their beneficent activities.

Sir *George Cunningham* (Finance Member) referring to the change of heart assured that so far as he was concerned there could be no change of heart. He had been sympathetic in the past and would continue to be so in the future (Cheers). He said the figures of the Malakand Hydro-Electric Scheme were carefully scrutinised by Sir James Pitkethly and Mr. Thomas, Engineer, Punjab. The scheme would prove beneficial to big cities and agriculturists. As for the repayment of loan and interest on capital expenditure, he was ready to say that the Government of India would effect corresponding decrease in the subvention. The House then adjourned till the 12th.

12th. MARCH:—The Council held a short sitting to-day to pass supplementary demands for grants for the current year with respect, to land revenue, administration of justice, famine and expenditure in England.

ARMS ACT AMENDMENT BILL

Mr. *Cunningham*, Finance Member, presented the report of the select committee on the Indian Arms Act Amendment Bill. The committee, after considering all the objections raised by the Opposition, opined that the bill did not infringe upon the rights of public and should be passed into law without any change. The Council then adjourned.

FRONTIER RYOTS' PLIGHT

13th. MARCH:—Ten resolutions figured on the agenda paper to-day when the Council met for non-official business. The whole day was devoted to a discussion of *Maulvi Noor Baksh's* resolution recommending to the Governor-in-Council to adopt suitable measure for rescuing agriculturists from the clutches of village money-lenders. *Maulvi Noor Baksh* said that the Banking Enquiry Committee estimated the agricultural indebtedness of the Frontier at eleven and half crores whose annual interest alone was six or sevenfold the land revenue and suggested the total repudiation of past liabilities.

Mr. *Pir Baksh* and several others urged the reorganisation of the educational system, adapting it to the zamindars' requirements. Money-lenders could utilise the capital in better ways by investing it in commercial and industrial concerns.

Mr. *Thompson*, Revenue Secretary, found it difficult to disagree with the principle underlying the resolution and said that Government could not view with favour the position of dependence to which agriculturists were drifting and they introduced in the current session the Regulation of Accounts Bill, Redemption of Mortgages and Usurious Loans Amendment Bill.

Sir *Abdul Qayum Khan*, Minister, said that the Government were seriously considering the reorganisation of primary education.

Sir *George Cunningham*, Finance Member, associated himself with the spirit of the resolution assuring them that the Government would be fair to both sides. A complete solution of the problem could not be achieved without a complete readjustment of the agricultural life. He hoped that the question would be considered at the forthcoming inter-Provincial Economic Conference.

The resolution was passed. The House then adjourned till the 15th.

THE SHARIAT BILL

15th. MARCH:—Exciting scenes were witnessed when the Independents who form the main opposition bloc in the Council staged a "walk out" as a mark of protest against the President's ruling holding that the motion for immediate consideration of Mr. *Habibullah Khan's* Shariat Bill was out of order as the seven days' notice, which was required, was not given.

Four members of the Liberal Party, including *Khan Bahadur Abdur Rahim Khan*, Deputy President, also joined in the "walk-out".

The President, *Khan Bahadur Abdul Gafoor Khan*, explaining the position, said that when on the score of time-limitation the motion was not admitted, the mover applied to invoke the exceptional powers of the Chair for the suspension of the Standing Order. The Chair had given best consideration to this aspect of the question. The circumstances of the case, the President added, did not justify the exercise of exceptional powers. The bill introduced was of very vital importance and would affect the social, religious and economic fabric of a large portion of the society and rural inhabitants of the Province, who formed 93 per cent of the entire population. "It also affects and abrogates several legislative enactments which are in force for three decades and designed for the benefit of the agriculturists. Obviously the Chair cannot lend itself, by exercise of its exceptional powers, to thrust so suddenly upon society a measure of such great importance and implication. There is no urgency either and the law which has stood the test of centuries can easily stand over for another six months".

The Bill aimed at enforcement of Muslim personal law regarding succession to special property of females, betrothal, marriage, divorce and power of adoption and guardianship.

On the motion of Sir *Abdul Qayum*, Minister, the Council agreed to circulation, for eliciting public opinion by the next session, of Mr. *Ghulam Rabbani's Rural Areas Bill* and Rai Sahib *Mehrehand's Local Option Bill* providing for restriction of sale of intoxicating liquor. The Council then adjourned.

VOTING ON BUDGET DEMANDS

17th. MARCH:—The Council commenced to-day voting on budget demands. Fifteen cuts in respect of twenty-eight demands were tabled. The cuts were either rejected, withdrawn or not moved.

As announced by the President yesterday, the last demand was taken first. Thres lakhs were granted in respect of advances of loans. An interesting debate followed Rai Sahib *Rochiram's* five rupees cut to criticise the general policy of the Government.

"Indiscriminate award of takavi to the rich, ignoring the needs of the poor Zamindars" was subjected to criticism by several members. The cut was withdrawn.

Another debate ensued on the motion of *Malik Khudabakhsh*, Leader of the Opposition, for the total rejection of Rs. 27,000 in respect of expenditure in England with a view to effect economy because expenditure was not contemplated by the terms of the subvention. Sir *George Cunningham*, Finance Member, said that the Haig Committee was unable to include expenditure in England in

the subvention figure and left it to the Government of India to fix the sum which was included in the subvention. The cut was rejected.

Demands in respect of stationery, printing, commuted value of pensions, superannuation allowances and pensions were next passed without discussion.

The demand for Rs. 32,37,000 in respect of Civil Works (transferred) was passed after discussion on Rs. 50,000 cut moved by *Malik Khudabakhsh*, Leader of the Opposition, to curtail expenditure relating to officers' bungalows.

The last demand was made by the Minister, *Sir Abdul Qayum*, for Rs. 3,13,000 in respect of Agriculture.

A cut of Rs. 5 by an Independent member to bring to the Government's notice that the Agriculture Department had not proved beneficial was withdrawn, after the Minister's assurance. The House then adjourned till the 19th.

19th. MARCH :—The Council passed to-day Minister *Sir Abdul Qayum Khan's* demands for Rs. 6, 01,000 under the heads Medical, Public Health and Rs. 20 89,000 for Education. Cuts were moved but were rejected.

Lack of extensive attempts to combat malaria and tuberculosis was pointed out and Government's attention was drawn towards the ill-treatment of patients in hospitals, when Mr. *Abdul Hamid Khan* moved a cut for Rs. 3 on the Medical and Public Health demand. The Minister said that they were doing their best to combat malaria and considering a tuberculosis sanatorium scheme.

Rai Sahib Meharchand Khanna's cut of Rs. 1,200 in the education grant was rejected by 8 to 21 votes.

The House was discussing *Rai Sahib Rochiram's* cut to raise a debate on the general unequal distribution of expenditure when the Council adjourned.

THE FINANCE BILL PASSED

20th. MARCH :—The Council passed the Finance Bill to-day. The *President* applied the guillotine when the House was discussing the *Finance Member's* demand for Rs. 8,79,000 for jails and convicts settlements. Mr. *Abdul Ghafoor Khan* (Independent) through a token cut urged the undesirability of transferring frontier prisoners to non-Frontier jails and drew attention to ill-treatment in jail.

Sir George Cunningham, Finance Member, said that if a prisoner's relatives exerted the right influence and induced him to co-operate, the Government would consider free ticket concession. He assured the House that very few Frontier prisoners were left in non-Frontier jails.

After the guillotine the *President* put to vote the remaining demands which were passed, after the Opposition challenged three divisions and lost on the Irrigation capital and expenditure demand for Rs. 4,35,000, Rs. 89,000 for Excise and Registration, and Rs. 3,34,000 for Land Revenue and Stamps.

The Council also passed the demand for Rs. 14,43,000 for General Administration (Reserved), Rs. 45,000 General Administration (Transferred) and Rs. 6,28,000 for Administration of Justice. Earlier, the *Finance Member's* demand of Rs. 29,33,000 for Police was passed.

A token cut by Mr. *Hidayatulla Khan*, urging promotion of 20 per cent of Provincial Service Police Officers to the Imperial Police Service was withdrawn after the assurance of the Inspector-General of Police and the Home Member, both of whom paid a tribute to the services of the Provincial Service Officers.

A greater part of the day was devoted to the discussion of Minister *Sir Abdul Qayum Khan's* demand for Rs. 20,89,000 for education. All the four cuts moved were defeated. The House then adjourned.

INDIAN ARMS ACT FRONTIER AMEND. BILL

22nd. MARCH :—On the motion of the *Finance Member*, Mr. *Cunningham*, the Council passed the Indian Arms Act North-West Frontier Province Amendment Bill as reported by the Select Committee which opined that the Bill did not infringe the right of the public. A large quantity of arms and ammunition was imported into British territory which were used for the commission of violent crimes. The number of prosecutions under Section 19 (F) of the Arms Act, therefore, was very large and the obtaining of the previous sanction under Section 29 immensely increased the burden of the work of District Magistrates. The Bill repeals Section 29 of the Arms Act obviating the necessity for previous sanction.

The Council then adjourned *sine die*.

THE C. P. LEGISLATIVE COUNCIL

LIST OF MEMBERS

President—THE HON'BLE MR. S. W. A. RIZVI

Executive Members

THE HON'BLE MR. E. RAGHAVENDRA RAO

THE HON'BLE MR. EYRE GORDON

Nominated Members—Officials

MR. CHARLES FRANCIS WATERFALL

MR. THOMAS COOK SAMUEL

JAYARATNAM

MR. RABINDRA NATH BANERJEE

MR. CHINTAMAN DWARKANATH

DESHMUKH

RAO BAHADUR G. H. GOKHALE

MR. GOVERDHAN SHANKERLAL

BHALJA

MR. EUSTACE ALBERIC MACNEE

MR. HENRY ARMRIOD HYDE

Non-officials

MR. LALMAN SINGH

THE REVD. G. C. ROGERS

MR. G. A. GAVAI

MR. T. C. SAKHARE

MR. S. G. NAIK

GURU GOSAIN AGAMDASS

RAO SAHIB R. W. FULAY

MRS. RAMABAI TAMBE

Elected Members

MR. BALRAJ JAISWARA

MR. DADURAM

RAI SAHIB BADRI PRASAD PUJARI

MR. CHUNNU

MR. C. B. PARAKH

RAI SAHIB LALA JAINARAIN

MR. T. J. KEDAR

MR. SHEOPRASAD PANDE

MR. KASHI PRASAD PANDE

MR. JHUNNILAL VERMA

MR. DULICHAND

RAI BAHADUR DADU DWARKANATH SINGH

CHOUDHARI MALTHULAL

MR. WAMAN YADO DESHMUKH

MR. ANJORE RAO KIRDUTT

MR. RAMSANEHI GAURHA

KHAN BAHADUR F. F. TARAPORE

RAI BAHADUR GAJADHAR PRASAD JAISWAL

MR. GOPALRAO RAMBHAU JOSHI

MR. ARJUNLAL

SETH SHEOLAL

MR. CHANDAN LAL

MR. GANPAT RAO SHANKAR RAO

DESHMUKH

MR. SHIVRAMPRASAD SULTANPRASAD TIWARI

THE HON'BLE RAI BAHADUR K. S. NAYUDU

MR. R. S. DUBE

MR. VINAYAK DAMODAR KOLTE

KHAN BAHADUR M. M. MULLNA

MR. IFTIKHAR ALI

THE HON'BLE MR. SYED WAKIL

AHMAD RIZVI

KHAN BAHADUR SYED HIFAZAT ALI

MR. MAHOMED YUSUF SHAREEF

(Minister)

BEOHAR GULAB SINGH

MR. D. T. MANGALMOORTI

MR. L. H. BARTLETT

SETH THAKURDAS GOVERDHANDAS

MR. VITHAL BANDHUJI CHAOBAL

(Minister)

MR. R. A. KANITKAR

DR. PANJABRAO SHAMRAO DESHMUKH

MR. MOTIRAO BAJIRAO TIDAKE

RAO SAHIB UTTAMRAO SITARAMJI PATIL

MR. SHRIDHAR GOVIND SAPKAL

MR. UMEDSINGH NARAINSINGH THAKUR

MR. NAIK DINKARRAO DHARRAO RAJURKAR

MR. YADAY MADHAV KALE

MR. TUKARAM SHANKAR PATIL

MR. MAHADEO PAIKAJI KOLHE

MR. GANPAT SITARAM MALVI

MR. SYED MOBINUR RAHMAN

KHAN SAHIB MUZAFFAR HUSAIN

KHAN BAHADUR MIRZA RAHMAN BEG

THE HON'BLE MR. BALKRISHNA

GANESH KHAPARDE

RAO BAHADUR GAJANAN RAMCHANDRA KOTHARE

Proceedings of the Council

WINTER SESSION—NAGPUR—18th to 26th. JANUARY 1934

OFFICIAL BILLS

The winter session of the C. P. Legislative Council opened at Nagpur on the 18th January 1934 with the hon. Mr. S. W. A. Rizvi, President in the chair. His Excellency Sir Hyde Gowan who entered the House in a procession addressed the members whereupon the House adjourned for a while.

The House then proceeded with official bills. The hon. Mr. E. Gordon presented the report of the select committee on the *C. P. Land Revenue (Amendment) Bill* which was then taken into consideration and passed into law. This was followed by the introduction of the *C. P. Debt Conciliation (Amendment) Bill* by the hon. Mr. E. Gordon, the *Usurious Loans (C. P. Amendment) Bill* by the Hon. Mr. Rao, the *C. P. Irrigation Amendment Bill* by the hon. Mr. E. Gordon and the *C. P. Village Panchayat (Amendment) Bill* by the hon. Mr. M. Y. Shareef.

During the course of the discussion on the bills, the *Leader of the House* announced that the motion referring to a select committee the *C. P. Hindu Religious and Charitable Trust Bill* introduced by Dr. Panjabrao Deshmukh, ex-Minister, in the August session of the Council and circulated for eliciting public opinion would not be made.

SPECIAL ENACTMENT FOR NAGPUR MUNICIPALITY

19th. JANUARY :—Mr. R. W. Fulay moved a resolution for constituting the Nagpur city municipality and the civil station sub-committee under a special enactment and making statutory provision for the appointment of executive officer, health officer, educational officer and improvement trust, with adequate power on the lines of other improvement trusts in India. He urged the appointment of a municipal commissioner for managing the growing activities of Nagpur. It was impossible, he said, to develop Nagpur without an improvement trust. He bitterly opposed the constituting of the civil station sub-committee into an independent and autonomous body separate from the Nagpur municipal committee.

Mr. C. B. Parakh moved an amendment to include the words 'on lines of the Bombay City Corporation Act' after the words 'special enactment' and to insert the words 'guaranteeing the independence of internal administration of the civil station area now administered by the civil station sub-committee which is in existence since 1884'.

The hon. Mr. M. Y. Shareef, Minister for Local Self-Government, opposed both the amendment and the resolution on the ground that Nagpur had not yet developed to such an extent as to require a corporation. The amendment was rejected. The House divided and rejected it by 6 to 83 votes.

REVENUE ASSESSMENT IN BERAR

Mr. S. G. Sapkal recommended by a resolution that the recovery of such portion of land revenue as was increased at the time of the last settlement in Buldana district and in Akot, Balapur and Akola Taluk of Akola district be stopped and that henceforth assessment of land revenue in this part should be the same as what it was previous to such settlement.

On the resolution a protracted discussion took place on the settlement administration and land revenue policy of the Government. Mr. B. G. Khaparde, in lending support, gave a graphic description of the miseries of agriculturists in Berar due to coercive processes and declared that they were selling trinkets on the persons of their nearest and dearest to pay Government revenue. Mr. T. C. S. Jayaratnam, settlement commissioner, and the hon. Mr. E. Gordon, Finance, Member, denied the charges and maintained that the settlements were justifiable. Finally the resolution was carried the Government not challenging a division. The House then adjourned till the 22nd.

IRRIGATION ACT AMEND. BILL

22nd. JANUARY :—In moving the Irrigation Act Amending Bill to-day, *Mr. Gordon* said that the present system of assessing irrigation revenue was very complicated and necessitated the employment of an unduly expensive establishment. If the system were simplified, the staff could be reduced. The proposed system of assessment was already in existence in the adjoining province of Bihar and Orissa and was advantageous to the cultivator. The House unanimously agreed to circulate the Bill for eliciting public opinion thereon.

C. P. MUNICIPALITIES AMEND. BILL

Hon. *Mr. M. Y. Shareef*, next presented the report of the Select Committee on the Central Provinces Municipalities Amendment Bill. One of the clauses of the Bill sought to disqualify members and office-bearers of municipal committees from holding office in the event of their failing to pay municipal dues within thirty days from the date of special notice.

The House unanimously passed the Bill into law.

OPIMUM SMOKING ACT AMEND. BILL

Mr. F. B. Choubal's Opium Smoking Act Amendment Bill, which was enacted into law, brought the day's business to a close. This Bill was first introduced on the 24th July last. It had undergone no change in the Select Committee and was unanimously passed into law.

C. P. DEBT CONCILIATION ACT AMEND. BILL

The C. P. Debt Conciliation Act Amendment Bill, increasing the maximum strength of conciliation boards from five to nine members, was passed into law without a discussion.

USURIOUS LOANS (C. P.) AMEND. BILL

Mr. Raghavendra Rao then moved that the "Usurious Loans (C. P.) Amendment Bill" defining what constitutes an excessive rate of interest be circulated for eliciting public opinion thereon. *Mr. Rao* said that the subject-matter of the Bill was of the greatest importance at the moment. He referred to the conclusion of the Royal Commission on Agriculture that the Usurious Loans Act of 1918 remained practically a dead letter in the province. The Bill was as good an attempt to improve the conditions of credit as was possible in the existing circumstances.

All sections of the House, excepting Nationalists, headed by *Mr. Khaparde*, demanded that the Bill be referred to a select committee, in view of the immediate need of giving effect to the provisions of the Bill. Nationalists were for circulation and opposed reference to a select committee. Ultimately, the House agreed to allow leave to the Home Member to withdraw his motion and to make a fresh motion for reference of the Bill to a select committee to-morrow.

OTHER OFFICIAL BILLS

23rd. JANUARY :—In the Council to-day two important Bills, namely, the *Usurious Loans Amendment* and the *Money Lenders Bills* were introduced by the *Home Member* and referred to a Select Committee.

The first Bill is based on the lines of the Bengal Money Lenders Bill, and provides that compound interest in excess of ten per cent would be excessive and also authorises courts to presume the rate of interest excessive and transaction unconscionable, if the interest in the case of secured loans exceeds 18 per cent.

The Moneylenders Bill, framed on the lines of the Punjab Regulation Accounts Act of 1930, embodying in addition the principle of Damdupat, and also giving courts extended power in fixing instalments for execution of decrees, met with a storm of protest from some members headed by *Mr. Khaparde*, Nationalist Leader, whose amendment for circulating the Bill for eliciting public opinion was lost.

The Hon'ble *Mr. Choubal's* C. P. Excise Amendment Bill and Hon. *Mr. M. Y. Shareef's* C. P. Village Panchayat Amendment Bill, were then passed into law. The former Bill provides for more stringent provisions to deal with habitual offenders.

The following three bills were then sent to a select committee. *Hon. Mr. Shareef's* C. P. Local Self-Government Second Amendment Bill, the C. P. Village

Panchayat Amendment Bill and Hon. Mr. Chaubal's Central Provinces Prevention of Cattle Diseases Bill.

NON-OFFICIAL BILLS

24th. JANUARY :—The Council devoted the whole day to discussion of non-official Bills. The first two bills, viz. Mr. *Fulay's Municipalities Amendment Bill* (prohibiting the employment of woman and children at night in municipal markets) and Mr. *Y. M. Kale's Nagpur University Amendment Bill* were quickly disposed of and passed.

Mr. *P. Kohle's Local Self-Government Amendment Bill* and the *C. P. Municipalities Amendment Bill* were next passed. These dealt with the disability of lawyers suspended from practice or convicted for political offences from contesting elections to local bodies.

Hon. Mr. *Shareef*, Minister, explaining the Government's position stated that it was desirable to keep away unhealthy influences from these bodies.

Mr. *M. P. Kolhe's Village Panchayat Amendment Bill* which sought to confer wider powers on local bodies occupied much of the time of the House to-day, but was ultimately thrown out.

Mr. *P. Pande's C. P. Land Revenue Amendment Bill*, designed to repeal the provision of the Revenue Code by which a defaulter could be put under arrest or detained in the civil jail until revenue was recovered was after some discussion referred to a select committee.

Mr. *R. W. Fulay's (Labour) C. P. Industrial Debtors Bill*, which was proposed to be referred to a select committee, evoked an objection from Mr. *Kanitker* (Nationalist, Buldana), who enquired if a Bill defeated in a previous session could be brought up again.

The President ruled that, as there were no specific provision in the standing orders on this question, he would give the benefit of doubt to Mr. *Fulay*.

Mr. *Khaparde* (Leader of the Nationalists) was the only opponent of this Bill, as he considered that it would restrict the flow of capital from the creditor to the industrial debtor. He bitterly complained that the C. P. Council was persistently passing legislation which was definitely in the interest of one class of persons.

Mr. *Fulay* pointed out that the Bill had been framed in accordance with the recommendations of the Royal Commission on Labour, and he asked the House to be more generous towards poor people. He was backed by Messrs. *Deshmukh*, *S. M. Rahiman* and *Rogers*.

Mr. *Gordon* recapitulated the circumstances under which the House had previously negatived the measure, but on this occasion he said the Government would remain neutral and would not put any objection if the House desired to adopt it. The motion for a select committee was accepted. The House then adjourned.

C. P. MUNICIPALITIES AMEND. BILL

25th. JANUARY :—The Council spent a most dreary day to-day, discussing non-official resolutions after disposing of legislative business. Mr. *R. W. Fulay* (Labour), moved that his Central Provinces Municipalities Amendment Bill seeking to extend the life of the Municipal Committees from three to five years, be referred to a select committee. Mr. *Fulay* observed that the present lease of three years' life was too small. The first year was generally spent in studying problems and by the time a new policy was being worked by such a committee, the third year approached and very little work was done as the members felt that they must look to the elections rather than to the work of civic improvement.

Mr. *R. A. Kanitker* (Buldana) opposed the principle of the Bill and stated that the proposed move had not the sanction of the electorate. He did not attach any value to the views of municipal committees, as the present members were persons going to be benefitted by the proposed legislation. He moved an amendment for recirculation of the Bill for eliciting the opinion of the electorate. Mr. *Sapkal* (Akola), opposing the amendment, said that it was too much to say that municipalities did not reflect public opinion. *Rai Bahadur Nayudu*, Leader of the Democrats, supported Mr. *Kanitker's* amendment. Mr. *Kolhe* from Yeotmal, supporting the amendment, advocated a referendum being taken on the question. The amendment was carried by 31 votes to 19.

Fourteen other Bills were then introduced, and circulated for eliciting opinion.

NON-OFFICIAL RESOLUTIONS

Only three resolutions were discussed in the Council to-day, two of which were carried without a division. The first stood in the name of Mr. *T. S. Patil*, but was moved by *Rao Saheb V. S. Patil* in the absence of the former. It urged the exemption of the income derived from ginning raw cotton. Several members supported Mr. Patil's resolution.

Mr. *C. D. Deshmukh*, Finance Secretary, explaining the Government's view said that there was already a weighty body of opinion asking why agriculturists' income should not be taxed. He could not see why exemption should be granted in the case of a particular section of the community or a particular commodity. He feared that the proposed exemption would benefit only a few. Finally, he undertook to forward the proceedings to the Government of India as the matter was beyond the competence of the Local Government. He added that he could not give any undertaking on the subject which might prejudice the Government of India's decision.

The resolution was carried.

Seth Dulichand (Saugor) by a resolution urged the appointment of debt conciliation boards for districts as a whole, and not for tahsils.

Mr. *M. P. Kolhe* moved an amendment that conciliation boards should be extended to all districts of C. P. and Berar. The mover accepted the amendment.

Rao Bahadur Dadu Dwarkanath Singh, *Rao Bahadur K. S. Nayudu*, Dr. *Panjabrao Deshmukh*, Mr. *W. Y. Deshmukh*, Mr. *S. Pandey*, Mr. *Iftikar Ali*, Mr. *Chunilal Verma* and Mr. *Rajurker* supported the resolution. Mr. *S. M. Rahiman* opposed the resolution. The Hon'ble Mr. *E. Gordon*, Finance Member, opposed the resolution on financial grounds and stated that the Government favoured a gradual expansion of these boards, as debt conciliation was still in an experimental stage. The resolution was carried.

Discussion on the resolution of Mr. *Panjabrao Deshmukh* recommending the stopping of the execution of civil decrees and the Co-operative Registrar's award for two years in view of successive failure of crops and low prices had not concluded when the Council was adjourned.

PLEA FOR REVENUE REMISSION

26th. JANUARY :—In the Council to-day, Mr. *Kedar*, Leader of the Coalition Party, moved "that in view of the general failure of crops and that the abnormally low rates of agricultural produce, this Council recommends to the Government that it be pleased to remit twenty five per cent to the land revenue for the current agricultural year and suspend the recovery of the suspended land revenue, taccavi and other agricultural loans by the Government".

In moving the resolution, Mr. *Kedar* observed : "Mine is a modest demand. The Government must do something to relieve the agriculturists. I realise the difficulties of the Government, but the difficulties of the agriculturists are greater than those of the Government."

Mr. *M. P. Kolhe* moved an amendment that for the words "to suspend recovery of suspended land revenue", the words "to remit or suspend as the case may be the recovery of the current land revenue and also of the re-suspended, suspended or unsuspended arrears of land revenue" shall be substituted.

Seth Thakurdas, Mr. *Arjunlal* and *Seth Sheolal* spoke in support of the resolution.

The *Revenue Secretary* observed that though some damage to crops had been caused by the recent floods in Berar and parts of C. P., it was wrong to say that there had been a general failure of crops. The total area under cultivation of cotton and rice had risen as compared with last year, while that of Juar had fallen. In consequence of the Indo-Japanese trade agreement, the rates of cotton had considerably gone up. Proceeding, Mr. *Banerjee* said that the condition of the peasant did not show any appropriate deterioration, as compared with the previous years. The Government had already launched on measures calculated to give relief and minimum agricultural produce was exempted from attachment. Mr. *Banerjee* concluded that the condition of the agriculturist was not so gloomy as it was pictured to be and none of their forebodings had turned out to be true. No case had been made out for wholesale remission or suspension of land revenue and the Government were doing all they could to the areas that had suffered from local calamities.

The hon. Mr. *E. Gordon* said that there was still good margin left in the agriculturists' income. In spite of the remission of 12 and a half per cent in Madras, the C. P. incidence on acreage compared favourably with the reduced rate in Madras.

He asked the House to determine whether it would be a practical proposition to deprive the State of a revenue of Rs. 55 lakhs for the sake of a few annas' benefit to individuals, which meant limiting all the activities of the Government.

Mr. Kolhe's amendment was declared carried without a division.

FROST HAVOC

Frost and the damage caused by it to crops formed the subject of an adjournment motion which was moved by Mr. K. P. Pande but was ultimately withdrawn, after one hour's discussion. Mr. Pande said that the recent frost in Narsingpur and Jubbulpore districts came in as a fresh calamity. It had also affected parts of Berar. He pleaded that in view of this unusual phenomenon, the Local Government should apply to the Government of India for drawing upon the famine relief fund. He also urged the Finance Member to tour the affected areas with a view to obtaining first-hand information. Seven non-official members supported the motion.

The Hon. Mr. E. Gordon, replying, stated that the Government were not in possession of full information on the point. The Government would expedite the enquiry into the matter and they would not be slow in granting relief to the agriculturists if the situation warranted the same. On this assurance, the mover withdrew the motion. The House then adjourned *sine die*.

Budget Session—Nagpur—26th. February to 9th. March 1934

FINANCIAL STATEMENT FOR 1934-35

"All recent budgets of this Government have been based on the principle that we should, in times of depression, husband our resources and embark upon no heroic schemes, which we cannot afford. Government believes that at this time its primary duty is to attempt, at whatever sacrifice of desirable developments, to balance its expenditure with its income and that it will be serving the best interests of the province, if it hands over to the new Government, under the new constitution, a legacy of financial stability and a future that is not heavily mortgaged," said the Hon'ble Mr. E. Gordon, Finance member, presenting his budget before the C. P. Legislative Council at Nagpur on the 26th. February 1934.

The Finance Member announced that the budget provides for a revenue of Rs. 473.17 lakhs and an expenditure, charged to revenue of Rs. 471.03 lakhs, leaving a surplus of Rs. 2.14 lakhs. Adding the debt head, but excluding famine relief funds, the total receipts are expected to amount to Rs. 434.80 lakhs and the total expenditure to Rs. 531.31 lakhs, leaving an estimated closing balance of Rs. 3.50 lakhs. It is hoped to have Rs. 46.30 lakhs in the Famine Relief Fund.

Speaking on new expenditure, the Finance Member pointed out that owing to continued financial stringency, cuts made in the current year in general purposes and education grants were maintained. Provision was made for Rs. 24,000 as grants to co-operative institutes and Rs. 15,000, for the destruction of rats in Nagpur and Jubbulpore towns. The bulk of the new provision, amounting to Rs. 3.94 lakhs, will be spent on road-work, financed from the Road Development Fund. A sum of Rs. 42,000 was provided for buying new machinery for the Government Press.

Referring to the debt position, the Hon'ble Member said that the total indebtedness had increased by Rs. 12.17 lakhs. The amount, which they now had to repay in the Famine Relief Fund, had decreased by Rs. 19.76 lakhs, while debts over 12 lakhs, have been reduced. Capital of just over 19 lakhs had been simultaneously written off. Concluding, the Finance Member said that on the revenue side, owing to the present agricultural depression, land revenue receipts, which accounted for more than half the total receipts, were at a complete standstill. The Excise revenue had decreased by one crore, as compared with the peak income, and about three-fourths of a crore, as compared with the average income.

GENERAL DISCUSSION OF BUDGET

27th. FEBRUARY :—The general discussion on the budget commenced to-day. Mr. K. P. Pande (Sihora) who opened the attack complained that the budget contained no provision for remissions of land revenue in spite of several resolutions passed by the Council and had been prepared without any regard to suffering masses.

Mr. S. M. Rahiman (Akola) sounded a note of warning and urged that, in the interests of all concerned the new reforms should be inaugurated as early as possible. He regretted that in spite of the Viceroy's announcement over Berar, the position remained what it was before the announcement. He felt that the Govern-

ment should have allowed Berar to enter the Federation as a separate unit and failed to see how existing difficulties could be solved by hugging Berar with C. P. Proceeding, Mr. Rahiman said there can be no gainsaying the fact that the Government had endeavoured to carry out the wishes of the House as regards retrenchment more than half way. But there was a limit to everything and no further substantial economies were possible. The primary function of every Government was to administer its affairs in such a manner as would lead to the prosperity of the people in general. The only course left open to the House now was either to be ready for fresh taxation or allow the activities of nation-building departments to come to a stand-still. Another complaint of the people to which the speaker wished to draw the attention of the Government was the unequal distribution of funds in the various departments of Government.

Thakur Umedsingh (Akola) urged the remission in land revenue and pointed out that Madras and other Provinces have done much to relieve agricultural distress.

Rao Bahadur Kothari (Berar Commerce) emphasised the need for industrial education while *Seth Shcolal* in a lengthy speech deplored the increased process fees.

Khan Bahadur Tarapore (Drug) congratulated the hon Mr. E. Gordon for presenting a surplus budget and opposed the proposed tax on tobacco. Tobacco, he said, is not more a luxury to the agriculturist who wants to forget his present distress by a puff of smoke. He fervently appealed to the Government to patronise the local presses and specially drew the attention of the Government to the Central India Press where the "Daily News" was printed.

Mr. C. B. Parakh (Nagpur) joined in the chorus of congratulations and advocated reorientation of the excise policy in view of the abnormal fall in the excise revenue. The experiment in America had proved that the policy of prohibition had failed and it was essential that the policy of complete prohibition by stages to which Government stood committed, should be revised. He feared that the House would not agree to fresh taxation on tobacco unless further retrenchment in superior services was effected.

Mr. Kolhe (Yestmal), put up a strong plea for the reduction of Rs. 50 lakhs in the estimates of land revenue receipts with a view to afford relief to the cultivator.

The Hon. Mr. M. Y. Shareef (Minister for Education) stated that the Government functioned as a whole and the transferred department could be administered consistently with efficient administration of all departments. The maximum of benefit at a minimum of expenditure was the watchword of Government at the present juncture. Referring to the complaint of Khan Saheb Muzaffar Hussain (Deputy President) that the budget paid no attention to the needs of Berar Muslims, the Minister stated that the Government had to deal with all alike, and assured the House that their handicaps in education would be removed as soon as the finances improved. Proceeding, he narrated various steps taken by the Government to improve public health and minimise infant mortality. It was his experience that adult education had failed and that the results obtained from fifty adult schools were far from encouraging.

The Hon. Mr. Choubal (Excise Minister) was optimistic about village uplift work which was being carried on in every province of India. The Government, he said, will certainly welcome the constructive suggestions as regards excise.

The Hon. Mr. E. Raghavendra Rao, Home Member, announced that in pursuance of the resolution recently passed by the Council, the Government had ordered a reduction of process fees in rent suits and the decision of the Government would be gazetted soon. The policy of the Government was not to encourage recruitment to the services on a communal basis, but consistent with the standard of efficiency, Government were prepared to accommodate members of the depressed classes in subordinate judicial service and the police.

Hon. Mr. E. Gordon wound up the debate. He was glad that members appreciated the efforts of Government to cut down expenditure. He was at a loss to know why members should not ask the Government to follow the example of Madras in the matter of the restoration of the salary cut if it was to follow that Province as regards the remission of land revenues. The time had not yet come when unemployment was serious in any degree, and the Government were ready with their programme if and when occasion arose. He expressed inability to undertake any heroic measures to wipe out agricultural indebtedness. Rs. 20 lakhs had by now been remitted and land revenue to the extent of Rs. 16 lakhs had been suspended. Concluding, the Finance Member was confident, that, if they kept their

heads above water for some time more, better times would dawn. The Council then adjourned.

VOTING ON BUDGET DEMANDS

28th. FEBRUARY :—Voting on Budget grants commenced to-day. The *Minister for Agriculture* (transferred) moved a demand for Rs. 8,36,450, but after effecting cuts in this sum to the amount of Rs. 101, the rest of this demand was carried by the House. The next demand under head Veterinary charges for Rs. 3,73,900 moved by the same Minister was after some discussion carried. Moving a token cut of rupee one under the head Agriculture, Mr. *Rahiman*, Member from Berar, suggested the abolition of the Agricultural College which he thought was a waste of money and instead, he advised that more money should be spent on popularising agricultural education in primary and secondary schools.

Mr. *McNee*, Director of Public Instruction, replying stated that the introduction of agricultural education in all schools was not possible as every such institution needed farms for practical lessons which was not always possible in cities. He, however, informed the House that from 1936 onwards the Board High Schools would be introducing agriculture as an optional subject in school-leaving certificate examination.

2nd. MARCH :—The policy of the Government in the matter of co-operative credit was subjected to severe criticism in the Council to-day, when discussion on the token cut of Mr. *M. P. Kolhe* was resumed. Several members alleged that the edifice of the co-operative movement was crumbling and urged that the same should be pulled down. Mr. *R. N. Banerjee*, Revenue Secretary, in defending the issue of coercive processes, submitted that without these, the movement would suffer heavily. He added that coercive processes were resorted to only in extreme cases where debts appeared to be irredeemable. Mr. *V. D. Kolhe* (Bhandara), wanted that both non-officials and officials should evolve a policy to meet the situation, which was admittedly serious. *Naik D. Y. Rajurker*, who supported the cut, said that Government should have advanced sufficient loan to the provincial bank and stopped sales of lands of debtors.

The Hon. Minister, Mr. *Choubal*, regretted the absence of any practical suggestions from members. The Government, he said, has a definite policy of eliminating indebted members from societies and starting new societies on new lines. Fresh financing of short-term loans, conserving of resources of banks, establishment of Land-Mortgage banks, and reduction in the rate of interest are some of the measures which Government is taking. Proceeding, Mr. *Choubal* said, that if the movement had not come up to their expectation, it was not the fault of Government. If the edifice of the whole movement were to be pulled down as suggested by some members, it would only aggravate the issue and not minimise the difficulties of agriculturists. If the movement is to be altogether liquidated it cannot be restarted until after a generation. Mr. *Kolhe* pressed his cut to a division which resulted in a tie 32 voting for and 32 against it and with the President's casting vote going against, it was lost.

Mr. *S. M. Rahiman* (Akola) then moved a token cut for stressing the need for appointing a Provincial Service officer to the post of senior Deputy Registrar and complained that the post had been filled by an I. C. S. officer. Mr. *N. J. Roughton* (Chief Secretary) in opposing the cut said that the appointment was not within the competence of the Local Government and had been made by the Secretary of State. The cut was carried by 30 to 20 votes.

The close voting on Mr. *Kolhe's* token cut which sought to denounce the Ministers' policy emboldened the Opposition members who were opposed to the entire demand of Rs. 1,77,999 and pressed it to a division. The demand was to their surprise carried by 31 votes to 28. This was the first occasion on which the entire demand for any grant was pressed to a division. The discussion on demands under Industries (transferred) was proceeding when the Council adjourned.

3rd. MARCH :—An attempt of the Opposition members to subvert the Ministry proved abortive to-day when a token cut tabled by Mr. *Thakur Umed Singh*, seeking to censure the policy of the Minister in charge of Public Works Department, was defeated by 35 votes to 28. Mr. *Umed Singh*, in moving the cut, criticised the policy of retransferring of works from local bodies to the Public Works Department. He was supported by six members.

The hon. Mr. *Choubal*, Minister, in opposing the cut, said he was pursuing the policy laid down by the Government, viz., of placing arterial roads of great public importance under the control of the Public Works Department. The Government had decided to appoint a committee to review the progress made by District Councils in order to arrive at a final decision.

The hon. Mr. *E. Gordon*, Mr. *Hyde*, Chief Engineer, Dr. *P. Deshmukh* and Mr. *S. M. Rahiman* favoured the appointment of a committee. Mrs. *Ramabai Tambbe* wanted a time limit to be imposed so that the report of the committee might be available before the Council was dissolved. The Minister promised to consider the suggestion. The cut, when pressed to a division, was lost as stated above.

DEFEAT OF MINISTRY

5th. MARCH :—The Ministry was defeated at to-day's sitting of the Council. Nationalists and Democrats succeeded in throwing out the entire demand of Rs. 6,31,998 under the head "Miscellaneous" (transferred) by 84 votes to 33.

Regarding the Ministerial crisis lobby talks indicated that dissensions had been for some time past found in the Coalition Party, which formed the present Ministry in August of last year. For the last three days a trial of strength had been going on amongst the various groups in the Council and various combinations and coalitions had been in the air, the most significant was the one that was proposed to be formed between the Kedar (Leader, Coalition Party) Group and the Nationalist Party (Opposition). When the Council assembled to-day, this disruption and lack of discipline in the Coalition Party to get rid of the Minister, Mr. Choubal, was manifest.

A cut motion against Mr. Choubal's department, moved by a Muslim member, was defeated by only one vote, although the Muslim members of the Coalition Party voted in favour of the cut. This voting demoralised the Coalition Party completely. Mr. Choubal's friends of the Coalition Party, on the other hand, voted in carrying two cut motions and ultimately throwing out the entire demand under "Miscellaneous" (Transferred) in charge of the senior Minister, Mr. Shareef. The result was taken as a vote of no-confidence in the Ministry.

6th. MARCH :—The Council met to-day in a tense atmosphere as it was expected that the Ministers would resign. The hopes of the Opposition were belied as the Ministers retained their seats characterising yesterday's defeat as due to snap voting. The House then discussed a token cut of Re. 1 tabled by Mr. *Panjabrao Deshmukh* under Land Revenue (Reserved) to bring forward the question of the employment of backward class candidates who should be given preference over candidates of other communities if they possessed the minimum qualifications to hold any post. Being educationally backward such candidates were not in a position to compete with the candidates belonging to advanced communities. Mr. *MacNee*, Education Secretary, repudiated the insinuation made in the course of the debate that the advanced classes had better educational facilities than the backward ones.

Mr. *N. J. Roughton*, Chief Secretary, expressed Government's sympathy in the matter under discussion and added that the policy laid down by the Council in 1931 was being followed by the Government. That policy was of regulating the appointments in such a way that while the efficiency is not sacrificed the requisite proportion of representation may as early as possible be attained within a reasonable period. The cut, when pressed to a division, was carried by 30 votes to 24.

There was a prolonged debate over Mr. *Panjabrao's* token cut pleading for the remission of land revenue in the fields affected by hailstorm in Amraoti District, but the same was withdrawn after Govt's assurance that everything possible will be done to minimise the cultivator's distress on representation in proper quarters.

The plea that the Government should effect a reduction varying from 20 to 10 per cent in the salaries of Government servants as a measure of national emergency was next made by Dr. *Panjab Rao Deshmukh* in moving a token cut. Alluding to the national emergency the speaker said that this was obvious from the fact that nation-building departments were starving for want of funds.

Mr. *N. J. Roughton*, the Chief Secretary, in opposing the cut, said that the Superior Services had already suffered and were still suffering by way of retrenchment and salary cut. As regards the Provincial Services rules relating thereto could not be changed without the sanction of the Secretary of State and the India Government and the revised scale was already in force for new entrants. The Subordinate Services were meagrely paid and it will be indiscreet to further reduce their low salaries. The motion was carried without a division.

Two more cuts, one by *Seth Thakurdas* urging a general reduction in land revenue on account of general depression and the other by *Mr. Kolhe* stressing the need for the remission of the enhanced land revenue in the revision settlement in Berar, were carried without a division.

The entire demand of Rs. 18,31,411 under "Land Revenue" was then carried.

7th. MARCH :—By thirty-three votes to thirty-one the Council rejected a cut of Rs. 19,000 moved by *Mr. Khaparde*, leader of the Nationalists, characterising Government's policy in giving rewards to excise officials for detecting crimes as bad. Messrs. *V. B. Choubal* (Minister), *C. D. Deshmukh*, Finance Secretary and *N. J. Roughton*, Chief Secretary, defending Government's policy, stated that such rewards acted as encouragement to officials detecting crimes. The motion was lost.

Mr. Jhunilal Verma next moved a cut of Rs. 10,000 to reduce the number of district excise officers and curtail the rewards to the officials and discuss the excise policy in general. *Mr. Verma* made it clear that it was not a censure motion on Minister, but felt that in view of the declared policy of the Council of complete Prohibition by stages, there was no need to keep such a staff. He also urged that complete Prohibition should be introduced in Saugor and Narsinghpur districts where conditions for such a step were ideal.

Mr. Choubal (Excise Minister) said that Prohibition could not be introduced against the wishes of the people and, unless social conditions were ripe, forcing the pace of Prohibition would, he was afraid, lead to several evil consequences, such as, an increase in the illicit distillation and breakdown of control. He also asked the members to consider the fact that a reduction in the prices of country liquor had not an appreciable effect on the illicit distillation.

The goal could be reached by (1) sale of liquor in a fixed quantity (2) reduction in number of shops, (3) curtailment in the hours of sale, and (4) the closing of liquor shops on festival days. The Government had budgeted the excise revenue at 59.82 lakhs as against the actuals for 1933-34 of 58 lakhs. Prior to the adoption of the policy of Prohibition by stages, Excise revenue stood at Rs. 156 lakhs. He deplored that while Government was straining every nerve to achieve the goal, no educative propaganda was undertaken by non-officials except in isolated places. In regard to illicit distillation, the Minister pointed out that the situation was grave in civilised districts as in the jungle districts. Within twelve years, the greatest social experiment of modern times had proved a failure in America.

Concluding *Mr. Choubal* asked the House to consider whether a new orientation of policy was called and opposed the cut, which was ultimately withdrawn. The whole of the demand under "Excise" was next put to the House and carried.

Demands under "Stamps" (Reserved), "Registration" (Transferred), Irrigation Works charged to the revenue (Reserved), and Public Works Establishment (Transferred) were carried without much discussion. Neither *Mr. Kolhe*, who moved a token cut of one rupee urging the abolition of the posts of Commissioners nor *Mr. Gordon*, the Finance Member, who opposed it, took the subject seriously. *Mr. Kolhe* stated that this question was their hardy annual and the Finance Member's speech explaining that the proposal had not met with the approval of the Secretary of State was brief. The rejection of the cut by 16 votes to 29 caused no small amount of surprise as similar cuts have been carried in the past.

8th. MARCH :—With the tabling of the "no-confidence" motions against Ministers, members lost all interests in the budget discussion, so much so that when the Council reassembled there was no quorum for a while. *Mr. R. W. Fulay's* token cut recommending that a High Court should be established in these Provinces simultaneously with the introduction of new reforms in the Province was carried without a division.

Mr. Raghavendra Rao, Home Member, said the proposal was under active consideration of the Government but he was afraid that the proposal involved extra expenditure and wanted to know the views of the House on the subject. Government's view was that the general taxpayer should not be made to pay for the litigant. The solution was obviously in the direction of amending the Court Fees Act so as to ensure the extra expenditure required. *Mr. B. G. Khaparde* and *Rao Bahadur Dadu Dwarkanath Singh* opposed the motion on the ground of financial stringency, while *Mr. T. J. Kedar* and *Mr. C. B. Parakh* supported the proposal.

Lala Jainarayan (Nagpur-Kamptee) next moved a token cut protesting against

the policy of the Government in not giving effect to the Council's resolution recommending half-pension to the Government servants. The cut was carried.

The guillotine fell at five in the afternoon as the demand under "General Administration" (Reserved) was under discussion. When the demand under "Medical" (Transferred) was placed before the House by Mr. *Shareef*, the Minister, *Rao Bahadur Nayudu* stood up and announced his intention of proposing to throw out the entire demand since Ministers had not vacated their seats on the demand under "Miscellaneous" (Transferred) being thrown out by the Council.

Mr. *Parakh* objected to *Rao Bahadur Nayudu's* speech after the guillotine had been applied. The *President* allowed the *Rao Bahadur* to make a statement, remarking that it did not constitute a speech. On a division being challenged 32 members raised their hands to support the demand while 31 opposed it.

The *President* stated that since it was a close tie he was willing to allow members to record their votes in the lobbies. But the Opposition abstained from claiming a division. Ultimately the motion ended in a victory for the Minister.

The whole of the budget having been passed the Council adjourned.

OFFICIAL BILLS

9th. MARCH:—The House proceeded to discuss official legislative business to-day. The Hon. Mr. *Raghavendra Rao*, Member in charge of Law and Justice, presented the report of the Select Committee on *Usurious Loans (C. P.) Amendment Bill*, which was passed into law, *Seth Sheolal's* three amendments thereto having been rejected. This bill was introduced in the January session.

The Hon. Mr. *E. Gordon's* C. P. Tobacco Taxation Bill, 1933, was next circulated for eliciting public opinion thereon.

Mr. *Parakh's* adjournment motion was next carried without a division. Mr. *Parakh* said that he thought that the Excise Duty on sugar and matches manufactured in India would be a great blow to indigenous industry.

On behalf of the Government the *Home Member* stated that so far as the Central Provinces were concerned the duty would not have much effect: firstly, because there were only one sugar factory and one match factory in the whole province; and, secondly, the latter factory did not come under the category of match factories which were obliged to pay excise duty. He, however, promised to send a copy of the debate to the Government of India.

NO-CONFIDENCE IN MINISTERS

The "no confidence" motion tabled by Mr. *K. Pande* and others next came up for discussion. Moving the no-confidence motion, Mr. *K. P. Pande* said that, ever since the beginning of the session, cuts after cuts were passed by the Council against the Minister Mr. *M. Y. Shareef*, and when such was the case they did not claim a division. It was only the casting vote of the *President* that came to the rescue of the Ministry on the demand under the co-operative credit and throwing away of the entire demand under "Miscellaneous" (Transferred) should have made the Ministers realise that they did not command the confidence of the House and resigned. The analysis of voting showed that out of 34 that voted against 31 were elected, while only twenty elected members voted for it. The remaining twelve votes in favour of the demand came from nominated officials. According to the report of the Joint Parliamentary Committee Ministers ought to resign the moment they cease to command the confidence of the majority of the elected members. It was unfortunate that, in spite of its losing the support, the Ministry would not get out. It appeared that the Ministry was being maintained by the Government in defiance of popular wishes.

Referring to the Ministerial contention that it was a snap voting Mr. *Pande* stated that, out of the 68 members present in the house, 66 voted and it was wrong to characterise such voting as a snap one. The policy of the Ministers, he proceeded, had been such as not to deserve the sympathy of the House and it was evident that the Ministry was being kept in office against the principles of democracy.

Mr. *D. T. Mangalmoorti*, opposing the no-confidence motion, said that no substantial reason had been advanced in support of the motion. He felt that the *President's* ruling given earlier cut both ways and equally applied to the demand rejected by the House and could not, in any way, be construed as a censure against the Minister.

Rao Bahadur Nayudu, Leader of the Democrats, said it was an indisputable fact that the House had passed censure against the Minister. When supplies were not voted it meant that the House had no confidence in the Minister.

Mrs. Ramabai Tambe said she was prepared to keep an open mind while voting only if the Minister made a statement in respect of the circular about Rashtriya Sangh explaining his position in the matter.

Mr. Khaparde, Nationalist Leader, said they had not thrown out the major demands under Transferred heads with a view not to embarrass the Government. The Opposition had been accused of hitting below the belt but Mr. Khaparde repudiated it. He was amazed that the Ministerial Party boasted that the Ministry was in office with the help of officials.

Mr. Parakh said the constitutional position was that the Ministers need not resign because token cuts were carried and quoted the history of the first Labour Government in England in 1924 when similar token cuts were carried but the Government did not resign.

Hon. Mr. Shareef, the Minister, said, in regard to Mrs. Ramabai Tambe's query, that the views expressed in the House would be placed before the Government and the circular issued by the Local Self-Government will be considered in all its aspects. It was, indeed, regrettable that the token cut tabled under the Local Self-Government demand did not come in for discussion, with the result that the Minister never got an opportunity of stating his case. Mr. Shareef added that in the first place the circular was merely advisory in character and the Government had not come to any decision in regard to the penal action to be taken if any local body refused to pay heed to its advice. He further pointed out that the Local Self-Government Department circular went further than the original circular of 1932 in that it applied to all communal organisations (not merely Rashtriya Sangh) and included Tanjit Tablique and other communal organisations. The primary object of the circular was that servants of local bodies should avoid creating an impression that they belonged to any particular organisation as they depended for their salaries on the general tax-payers' money.

Mr. Kedar (Ministerialist) said that there was only one issue involved in the motion and that was untenable and unsound in constitutional law. Eight cuts were carried against the Jaiswal-Deshmukh Ministry in 1933 and two in 1927 but the Ministers did not resign. Mr. Kedar failed to see what sins the present Ministry had committed. The Ministers had no desire to stick to their posts if the House passed a considered verdict against them. If the Opposition were serious they should have thrown out major demands and the House would then not have been taken by surprise, as was done in the case of the "Miscellaneous" demand. This action of the Opposition constituted what they called hitting below the belt.

When the censure motion was put to the House, the President declared it carried judging by the ayes. On a division being claimed by the Minister, Mr. Shareef, the President asked the members to go to the lobby.

On votes being taken as 34 for and 34 against, the President gave his casting vote against the motion which was thus lost. The President, while giving his casting vote against the no-confidence motion, said that his position was rather delicate. According to convention in Legislatures all over the civilised world the Chair should not precipitate a crisis. He added that the question was also decided to the same effect in the Conference of Presidents and Deputy Presidents of Indian Legislatures held some time back.

Mr. Pande withdrew his motion against Mr. Choubal, but a similar motion was moved by Mr. Khaparde, the Nationalist Leader, which, when pressed to a division, was carried by 35 votes to 34. The Council was then adjourned *sine die*.

It transpired that when the voting on the motion against Minister Choubal took place, Mr. Shareef, another Minister, failed to record his vote against the motion, apparently due to excitement in the lobbies. Had the Minister voted there would again have been a tie of 35 on each side. This was discovered when the division list was scrutinised by the members.

The defeat of Mr. Choubal in the Council is attributed to the last minute 'volte face' on the part of a nominated member who abstained from voting against Mr. Shareef but who recorded his vote against Mr. Choubal. But for this the Minister would have survived the onslaught, though, as the President pointed out in voting with them, their position was not a happy one.

THE ASSAM LEGISLATIVE COUNCIL

LIST OF MEMBERS

President

THE HON'BLE MAULAVI FAIZNUR ALI

Ex-officio Members

THE HON'BLE MR. A. J. LAINE

THE HON'BLE RAI BAHADUR PROMODE
CHANDRA DUTTA

Nominated Members—Officials

- 1 MR. J. A. DAWSON
- 2 MR. B. F. TAYLOR
- 3 MR. S. P. DESAI
- 4 MR. H. G. DENNEBY
- 5 MR. G. A. SMALL

Non-officials

- 6 SREEJUKTA ATUL KRISHNA
BHATTACHARYA
- 7 SRIJUT MAHENDRA LAL DAS
- 8 KHAN SAHIB MAULAVI MUHAM-
MAD MASHARAF
- 9 RAI SAHIB PYARI MOHAN DAS
- 10 REV. TANURAM SAIKIA
- 11 SUBADAR-MAJOR SARDAR BAHADUR
JANGBIR LAMA
- 12 KHAN BAHADUR MAULAVI KERA-
MAT ALI

Elected Members

- 13 THE REVEREND JAMES JOY MO-
HAN NICHOLS-ROY
- 14 BABU SANAT KUMAR DAS
- 15 BABU HIRENDRA CHANDRA
CHAKRABARTI
- 16 BABU BIRENDRA LAL DAS
- 17 BABU KALICHARAN MUCHI
- 18 BABU GOPENDROLAL DAS CHAU-
DHURY
- 19 BABU JITENDRA KUMAR PAL
CHAUDHURI
- 20 BABU CHIRATAN MUCHI
- 21 MR. SASANKA MOHON DAS
- 22 KUMAR PRAMATHESH CHANDRA
BARUA

- 23 SRIJUT BEPIN CHANDRA GHOSH
- 24 SRIJUT ROHINI KUMAR CHAU-
DHURI
- 25 RAI BAHADUR RAJANI KANTA
CHAUDHURY
- 26 RAI SAHIB DALIM CHANDRA BORA
- 27 KUMAR BHUPENDRA NARAIN DEB
- 28 SRIJUT BRINDABAN CHANDRA
GOSWAMI
- 29 SRIJUT JOGENDRA NATH GOHAIN
- 30 SRIJUT KASINATH SAIKIA
- 31 SRIJUT MAHENDRA NATH GOHAIN
- 32 RAI BAHADUR NILAMBAR DATTA
- 33 SRIJUT SARVESWAR BARUA
- 34 HAJI IDRIS ALI BARLASKAR
- 35 THE HON'BLE MAULAVI ABDUL
HAMID (*Minister*)
- 36 MAULAVI ABDUR RASHID CHAU-
DHURY
- 37 MAULAVI MUNAWWARALI
- 38 MAULAVI ABDUR RAHIM CHAU-
DHURY
- 39 MAULAVI SAIYID ABDUL MANNAN
- 40 MAULAVI ABDUL KHALIQUE
CHAUDHURY
- 41 KHAN SAHIB MAULAVI MAHMUD
ALI
- 42 MAULAVI ABDUL MAZID ZIAOSHS-
HAMS
- 43 KHAN SAHIB MAULAVI MIZANAR
RAHMAN
- 44 KHAN BAHADUR MAULAVI NUR-
UDDIN AHMED
- 45 THE HON'BLE MAULAVI FAIZNUR
ALI
- 46 MR. C. E. H. HINDLEY
- 47 MR. A. J. RICHARDSON
- 48 MR. L. A. ROFFEY
- 49 MR. F. J. HEATHCOTE
- 50 MR. H. EMBLEN
- 51 THE HON'BLE RAI BAHADUR
KANAK LAL BARUA (*Minister*)

Proceedings of the Council

BUDGET SESSION—SHILLONG—5th. to 22nd. MARCH 1934

GOVERNOR'S OPENING SPEECH

The Budget session of the Assam Legislative Council was opened by H. E. *Sir Michael Keane*, the Governor at Shillong on the 5th. March, 1934. Opening the session His Excellency expressed, on behalf of himself and Assam, sympathy with the people of Bihar in their great sorrow and hoped that the people of this province, who themselves understood sufferings from such calamities, would contribute their mite to alleviate the miseries of their fellow countrymen. His Excellency expressed disappointment over Assam's financial position. Since 1929 Assam had been struggling against odds. This year would close with a deficit of forty lakhs. Assam depended on agriculture. Hopes of the revival of agricultural prices, which were the root of all the trouble had not materialised. Times were importune for a fresh direct taxation. Assam had unsuccessfully fought to get a share of its contribution in the excise duties on oil and kerosene, which represented a sum total to more than half its total revenue. His Excellency added that Assam's financial position was realised by all. *Sir George Schuster*, in his budget speech, stated frankly that the Government of India were prepared to recognise its special claim to assistance.

On the subject of terrorism, His Excellency said that a year ago he told the Council that he hoped that Assam would remain free from lawless movements and he did not propose to bring before the Council any special legislation for exceptional powers, but, should they be needed, he was sure he could count on the Council's co-operation. He regretted that the tide of terrorism from Bengal showed signs of overflowing Assam's border. Already revolutionary branches had been established. Political dacoities for money and arms were increasing. Revolutionary propagandists were busy trying to win recruits among impressionable Hindu youths of the Surma Valley.

His Excellency referred to the remark of the Finance Member of the Bengal Government, that in a very brief period terroriats had cost the province nearly two crores. He did not want that things should come to such a pass in Assam. The police budget for the coming year had already been increased by half a lakh. His Excellency observed that the time had come when the need for protective legislation in Assam, both to round off the measures taken in Bengal and for its own protection, must be seriously considered and for all such necessary measures he looked to the Council for understanding and support. It was a common reproach, said His Excellency, that the public men in India, while disapproving in the abstract of revolutionary crimes, were not prepared to translate their disapproval into practical action. That reproach he wanted the Council to remove.

In regard to the report of the Assam Opium Enquiry Committee, which the Council would discuss this session, His Excellency stated the policy underlying its appointment. He thanked the Members of the Committee for their careful enquiry and said that the Government were awaiting the Council's views before coming to final conclusions. He reiterated the assurance, which the Committee appreciated in its report, that in considering the future opium policy the question of opium revenue should be left out of account, but that did not mean that the provision of a corresponding amount of revenue could be left out of account and it was time that the Council seriously considered plans for adjustment of the finances of Assam to the eventual loss of opium revenue.

ASSAM MONEY-LENDER'S BILL

6th. MARCH:—After question time, practically the whole day was devoted to official business. The *Assam Money-lender's Bill* was referred to a Select Committee.

ASSAM MUNICIPAL ACT AMEND. BILL

The non-official Bill of *Maulvi Abdul Khalique Chaudhury*, seeking to amend the *Assam Municipal Act* was defeated by 31 votes against 13. The Council then adjourned.

DISCUSSION OF BUDGET

7th. MARCH:—The Council to-day confined itself to the discussion of the budget. *Mr. E. S. Roffey* said that Assam could not impose any further taxation

and had retrenched to the utmost extent. He congratulated the Chief Engineer on the excellent work of the Public Works Department.

Rai Bahadur Nilambar Datta laid stress on the necessity of more money being given to the Berry White Medical School at Dibrugarh. He criticised the Additional Sessions Judge and the Assistant Sessions Judge for not doing a full day's work at Dibrugarh, as a result of which there were over 70 under-trial prisoners in the Dibrugarh jail. He associated himself with Mr. Roffey in hoping that the tenancy legislation would exclude tea garden tenants.

Babu Rohini Kumar Chaudhury paid a tribute to the "admirable work" of Sir Shadulla, Finance Member, and regretted that he was leaving the province. He said that in view of the economic condition of the Province, the relief of annas three in the rupee maintained by the Government was not sufficient. He said that the Assamese were a dying race and resented the people domiciled in Assam being given equal treatment with the indigenous Assamese. He laid a pointed stress on the extensions given to the present Council, and wanted to know if there was any real intention of giving the new constitution to the province, or whether the life of the present Council, which was for three years and which had already been in sessions for five years would be extended from year to year. He wanted a new election irrespective of the short length of its life, and if that were done most of the people, who had refrained from coming into the Council, might be willing to come in and try to work the Constitution even on the old lines. He appreciated the action of the Assam Oil Company and the European owned gardens in promising to take in Assamese in their vacancies, and hoped that they were in earnest about the matter.

NON-OFFICIAL RESOLUTIONS

9th. MARCH :—After question time to-day non-official business was taken up. The resolution of *Babu Brindaban Chandra Goswami*, asking for a conference consisting of officials and non-officials to review the present system of education, was carried with the modification that members were to pay their own travelling expenses. The Council then adjourned.

10th. MARCH :—Mr. *Brindaban Chandra Goswami* moved a resolution for holding a conference of officials and non-officials at an early date at Gauhati for reviewing the system of education in the province. It was carried.

Rai Bahadur Nagendra Nath Chowdhury moved a resolution fixing a scale of pay for the employees of the aided schools in Assam. The Hon'ble *Moulavi Abdul Hamid*, Minister, opposed the resolution which was then withdrawn.

A similar resolution of *Khan Bahadar Keramat Ali* was passed which provided for improvement of pay and prospects of teachers of the aided schools.

ASSAM CR. LAW AMEND. BILL

12th. MARCH :—The Assam Criminal Law Amendment Bill, 1934, was introduced in the Council to-day by the *Law Member*. The Bill was meant to supplement the ordinary law in Assam by legislation on the lines of the Bengal Criminal Law Amendment Acts and was intended to be used only against persons believed to be members of secret terrorist organisations. The statement of objects and reasons of the Bill said that the Assam Government had been aware since 1928 of the existence of a section of the Bengal revolutionary party in certain districts of Assam, but it had been keeping a careful watch on the activities of these men. The pressure exercised on the revolutionaries by the authorities in Bengal had the effect of driving a number of them over the border into Assam and there had been for some time past indications of the revolutionaries having been contemplating outrages in Assam and there was good reason to believe that a number of serious crimes which recently occurred in Assam were the work of revolutionary party.

The statement added that it was clear that the whole movement, both in Assam and Bengal, was one and the same movement and sprang from the same origin in Bengal and unless there was co-operation between the two provinces not only would there be a danger of terrorism spreading in but measures taken by the authorities in Bengal would remain incomplete. Persons arrested for offences under the provisions of the Bill would be tried by a special tribunal appointed by the local Government who would authorise it to pass sentences of death and transportation for life, and in the case of a death sentence the tribunal's order would be submitted to the High Court of Calcutta for confirmation.

The Bill also provided an appeal to the same High Court against conviction and sentence by the Commissioners. Under the provisions of the Bill the local Government was authorised to make rules for restriction of the movements of suspected persons, a breach of which would be punishable with imprisonment extending to seven years as well as a fine. Government was also authorised to prohibit the publication in a newspaper, book or other document of any class of information tending to create an atmosphere favourable to gaining adherents for the terrorist movement as also the publication of the name, designation, signs or visible representations for disclosing the identity of a witness in a trial by the Commissioners.

When *Sir Mahommed Saadulla* introduced the Bill an objection was raised against reference to the Itakhola Mail Dacoity Case in the statement of objects and reasons as the case was subjudice. The *President* ruled that no members would refer to the case during discussion.

VOTING ON BUDGET DEMANDS

The House then took up voting on Budget demands. The Hon'ble Mr. *Laine*, Revenue Member moved for grant of Rs. 17,08,600 under the head Land Revenue.

Mr. *Sarveswar Barua* moved a cut motion to the discussion of the reduction of existing rates of grazing tax. The motion was carried by 18 to 17 votes.

Mr. *Saikia's* censure motion to raise discussion on the methods applied in realizing land revenue and *Sj. Rohini Chowdhuri's* cut motion on the present position of remuneration of Manzadars and his motion on the grant of temporary reduction in Niskhi Raj Estates were also carried.

The Government also sustained several other defeats. Mr. *Saikia's* censure motion about general filthiness in 3rd and Inter-class railway compartments and lavatories were carried. The revenue member accepted *Maulvi Abdul Khaleque Chowdhury's* censure motion about inadequate representation on the Advisory Board of the A. B. Railway. *Maulvi Munnawar Ali's* censure motion about waiting rooms in the Sylhet railway station was carried by 21 to 10 votes. The Hon'ble *Abdul Hamid* and the Hon. Mr. *K. L. Barua*, Ministers voted against the motion.

ASSAM MONEY-LENDER'S BILL (CONTD.)

The Assam Money-Lender's Bill emerged out of the Select Committee. Provisions about registration of names of money-lenders and appointment of Inspectors for inspection of money-lender's accounts were deleted.

13th. MARCH :—All the cut motions were defeated and demands for grants were voted in toto. Mr. *Brindaban Chandra Goswami's* motion for reduction of Ministers' salary to Rs. 2,500 a month was lost by 26 votes against 18, although the planting group voted in favour of reduction. The Council then adjourned.

14th. MARCH :—The Council to-day devoted the whole of the day to a consideration of the Budget demands, all of which were carried. In the afternoon members of the Council attended a garden party at the Government House.

15th. MARCH :—At to-day's sitting the Government suffered several defeats when more than one cut motion urging imposition of flat rate fees in the Habiganj High School was carried.

Mr. *Brindaban Goswami's* cut motion protesting against insufficient grants to local bodies for primary education was also carried.

The Government also suffered defeat on the cut motion of *Khan Bahadur Keramat Ali* who complained of lukewarmness on the part of the Government in spreading female education. The motion was carried by 29 votes to nil. There was no discussion when the Government agreed for the grant of Rs. one lakh for electric installations in the Government buildings at Sylhet and when Mr. *Jogendra Nath Gosain* moved his cut motion.

16th. MARCH :—Out of 15 cut motions, Rev. *J. J. M. Nichols Roy's* motion censuring the Government for bringing in outsiders as Superintendent and Assistant Superintendent of the Shillong Government Press was carried and also the motion of Mr. *Munnawar Ali* condemning the action of the Government in raising the commission fee for registration.

Demands for stationery and printing, miscellaneous (reserved) extraordinary charges, excise and registration were voted. The Council then adjourned.

17th. MARCH :—After question time the Council devoted the day to demands for grants. Out of 21 cut motions not even one was carried. There was a hot debate on the question of retaining the post of the Dairy Expert, and the majority thought that the post was absolutely necessary as the province was agricultural one. The question of printing forms in Calcutta was discussed and it was decided that it was cheaper to get work done there.

The Council then voted grants for Agriculture, Veterinary and Co-operative Departments, Miscellaneous Departments (transferred), Stationery and printing (transferred), expenditure in England and refunds. The House then adjourned.

ASSAM CR. LAW AMEND. BILL (CONTD.)

19th. MARCH :—*Sir Mahomed Sadulla*, Judicial Member, moved to-day for consideration of the Assam Criminal Law Amendment Bill. He stated that the revolutionary movement was in existence in Assam since 1925. He enumerated more than a dozen instances of mail dacoities and armed robberies and that in 1929 it was suspected that the Sylhet treasury would be looted. He further said that about hundred fire-arms had been stolen. All Government members, including the Ministers, supported the Bill. *Mr. Jogendra Gohain's* motion for circulation of the Bill for eliciting public opinion was lost by 33 to 14 votes.

NON-OFFICIAL RESOLUTIONS

20th. MARCH :—The Council devoted the whole of to-day to non-official business.

Mr. Jogendranath Gohain's resolution recommending the appointment of a small committee to consider, change and modify the present system of education in order to satisfy the present needs and meet the aspirations of the province and the children of the soil was defeated by 15 votes to 12.

Mr. Rohini Kumar Chaudhury's resolution recommending temporary reduction of land revenue by 50 per cent, in view of the present economic distress was carried as also the resolution of *Mr. Kasinath Saikia* for continuing the grant to the Assam Sahitya Sabha which was doing very useful work in connection with the propagation of the Assamese language.

The resolution of *Babu Birendralal Das* recommending that all appointments to the Assam Civil Service in future be by promotion from the Junior Assam Civil Service and that direct appointment should only be made to the junior service was withdrawn on *Mr. Dawson*, Chief Secretary, pointing out its inadvisability and impracticability and on his assurance that promotions in some cases were already being given. The Council then adjourned.

ASSAM CR. LAW AMEND. BILL (CONTD.)

21st. MARCH :—The Council devoted the whole of the day to discussing the Assam Criminal Law Amendment Bill. The clause for death penalty in the case of abettors was omitted and the amendment giving accused the facility of being defended by pleaders was carried.

22nd. MARCH :—The Council to-day passed the Assam Criminal Law Amendment Bill, 1934, into law. The Bill, which is framed more or less on the lines of the recently enacted Bengal measure, is intended to be used only against those who are believed to be members of secret terrorist organisations, and its introduction was found necessary in view of the existence of a section of the Bengal revolutionary party in certain districts of the province of Assam. Those arrested for offences under the provisions of the Bill will be tried by Special Tribunals appointed by the local Government and would be liable to sentences of death or transportation for life.

Following the passage of the Bill, the *President* congratulated the House on the high level of the debate and said that, although those who were opposed to the enactment of the measure fought every inch of it, there had been no bitterness of feeling. There were 27 amendments and the House divided as many as fourteen times in the course of the debate.

ASSAM MONEY-LENDER'S BILL (CONTD.)

The *Assam Money-lender's Bill* was also passed into law. The report of the Assam Opium Enquiry Committee was then taken up and the motion of *Mr. Kashinath Saikia* that opium registers should not be reopened was carried.

The Council was then *prorogued*.

THE BURMA LEGISLATIVE COUNCIL

LIST OF MEMBERS

- | | |
|------------------------------|------------------------------|
| 1 U SAN SHWE BA | 45 U BA CHAW |
| 2 U KUN | 46 U PO THEIN |
| 3 U PO YIN | 47 U KYI MYINT |
| 4 U BA SHWE | 48 U KYA GAING |
| 5 U MAUNG MAUNG GYI | 49 U MYAT THA DUN |
| 6 U BA THAN | 50 U LU PE |
| 7 U CHIT HLAING | 51 U SEIN WIN |
| 8 DAW HNIN MYA | 52 U THU TA |
| 9 U BA THAN | 53 U MIN OH |
| 10 MR. L. CHOON FOUNG | 54 MR. L. C. KHOO |
| 11 MR. H. C. KHOO | 55 U MAUNG GYI |
| 12 RAI BAHADUR R. K. GHOSH | 56 C P U KHIN MAUNG |
| 13 MR. B. N. DAS | 57 U OHN MAUNG |
| 14 MR. GANGA SINGH | 58 U SAN LU |
| 15 MR. TILLA MAHOMED KHAN | 59 U BA TIN |
| 16 MR. A. M. A. KAREEM GANNI | 60 U BA |
| 17 U TUN BAW | 61 U BA THAW |
| 18 SRA SHWE BA | 62 DR. BA MAW |
| 19 U SHWE NYUN | 63 U PO YIN |
| 20 SAW PE THA | 64 U PO LIN |
| 21 LU GYI | 65 MR. CHAN CHOR KHINE |
| 22 U BA THEIN | 66 U TUN PE |
| 23 U SHWE THA | 67 U TUN AUNG |
| 24 U PHO KHINE | 68 MR. M. M. RAFI |
| 25 U PO MYA | 69 MR. S. A. S. TYABJI |
| 26 RAMRI U MAUNG MAUNG | 70 KHAN BAHADUR WALI MAHOMED |
| 27 U THIN MAUNG | 71 U SO' NYUN |
| 28 U TUN LIN | 72 SIR JOSEPH AUGUSTUS MAUNG |
| 29 U KYAW DIN | GYI |
| 30 DR. BA YIN | 73 U MAUNG GYEE |
| 31 U PAW U | 74 MR. C. H. CAMPAGNAC |
| 32 U BA YI | 75 SIR OSCAR DE GLANVILLE |
| 33 U BA TIN | (President) |
| 34 U NYUN | 76 MR. R. T. STONEHAM |
| 35 U KYAW DUN | 77 MR. W. J. C. RICHARDS |
| 36 U BA SAW | 78 U BA GLAY |
| 37 U TUN MIN | 79 MR. W. C. PENN |
| 38 U PE MAUNG | 80 KHAN BAHADUR AHMED CHAN- |
| 39 U BA THAUNG | DOO |
| 40 U MYA | 81 MR. J. A. CHERRY |
| 41 U PU | 82 A. EGGAR |
| 42 U THA GYAW | 83 DR. N. N. PARAKH |
| 43 U THI | 84 MR. D. VENKATASWAMY |
| 44 U NI | 85 MR. A. M. M. VELLAYAN |

Proceedings of the Council

BUDGET SESSION—RANGOON—15th. FEBRUARY TO 8th. MARCH 1934

FINANCIAL STATEMENT FOR 1934-35

The budget session of the Burma Legislative Council commenced at Rangoon on the 15th. February 1934.

After swearing-in and interpellations, Mr. C. P. *Khin Maung* of U. Chit Hlaing's party moved for permission to introduce a motion of no-confidence in the Ministry. More than the requisite number having stood up, the President fixed February 20 for the discussion of the motion. All the three main parties, U. Chit Hlaing's party and Dr. Ba Maw's party were in favour.

The Finance Member, Mr. T. Couper, then introduced the budget. The receipts for 1933 were originally estimated at Rs. 9,80,03,000 and the disbursements at Rs. 9,73,26,000; but the revised receipts were estimated at Rs. 8,64,90,000 and the revised disbursements at Rs. 9,82,73,000. This deficit will be covered by borrowing on March 31 next, Rs. 1,18,00,000 from the Provincial Loans Fund of the Government of India. Originally the revenue estimates were framed in the hope that the prices of agricultural produce would rise. On the contrary the prices have sunk to still lower depths. This compelled the Local Government to grant greater remissions of the land revenue than contemplated. These concessions accounted for the greater part of the fall in revenue, but the depression affected all heads. Further, it was also found necessary to grant remissions to payers of the land revenue and the capitation tax, as also to forest lessees and timber extractors.

On the expenditure side when the estimates were made a year ago it was supposed that the 10 per cent. cut in pay would be continued: but its reduction to 5 per cent. increased the expenditure.

Turning to the estimated receipts and disbursements for 1934-35, the Finance Member said that the receipts, including the opening balance of Rs. 80,000, would total Rs. 8,52,22,000 and the disbursements Rs. 9,37,70,000, there being a deficit of Rs. 85,48,000. The deficit would be considered later. Whatever it turned out to be it was proposed to meet it by borrowing in March 1925 from the Provincial Loans Fund. To this end an entry of Rs. 85,50,000 had been made in the estimates for 1934-35. It had not been considered safe to assume that more revenue would be collected in the coming year than could be collected in the present year. To this one substantial exception had been made, thinking that the land revenue would come in a little more quickly.

GENERAL DISCUSSION OF BUDGET

16th. FEBRUARY :—U Ba Pe, Leader of the People's Party, opened the general discussion on the budget to-day. U. Ba Pe described the Budget as one of drift. Remarking that fresh taxation was not possible and there was no possible recovery of land revenue in the near future, he urged economies in administration, his suggestion in this connection including abolition and amalgamation of different departments, a cut and revision of salaries and similar measures.

Dr. Ba Maw criticised borrowing without a constructive policy, particularly when borrowing was unproductive, as this would result in fresh taxation. He stressed that tax-payers were paying revenue from capital and not from income. He suggested the creation of an Economic Council to enquire into the taxpayer's capacity. He urged productive borrowing in order to encourage cottage industries.

Mr. S. A. S. Tyabji supported Dr. Ba Maw's suggestions.

U. Chit Hlaing warned the Government that if anything happened in the country owing to the present acute economic conditions the responsibility would be the Government's.

A few other Burmese Members proposed a reduction in the cost of administration and urged the fostering of indigenous industries.

The Finance Member, replying, justified the estimate regarding land revenue, stating that the policy of the Government was to balance the Budget. He could not subscribe to the picture depicted of the condition in the country. He said that

against the borrowings there were assets. The debt also was not large. He asked the members to wait the report of the Retrenchment Committee, of which he was still in the dark.

17th. FEBRUARY:—The *Forest Minister* introduced a *Bill further to amend the Excise Act 1917*, permitting employment of women in places where foreign liquor is sold or served.

19th. FEBRUARY:—At to-day's session of the Council the Bill moved by Mr. *Ganga Singh* (non-official) to further amend the City of Rangoon Municipal Act, 1922, for designating the President of the Corporation as Mayor was referred to a Select Committee for report by 22nd. February.

Nearly two hours' hot debate ensued after lunch. when *U Pe Maung* moved his resolution recommending to the Government, owing to financial stringency, to sanction the advance of agricultural loans to all bonafide landowners and actual cultivators in the country on security of agricultural land at the rate of Rs. 25 per acre at 6 per cent interest payable within five years.

The resolution being pressed to a division, was carried by a large majority. Several Burmese members including *U Chit Hlaing* spoke supporting the resolution.

NO-CONFIDENCE IN MINISTERS

20th. FEBRUARY:—At to-day's session of the Council the no-confidence motion in the present Ministry being pressed to a division was carried by 49 votes against 47.

With the full strength the Council resumed its session to-day, though several members were not present in their respective seats but were in the lobby. The Visitors' Gallery was crammed to its capacity. The President's Box was full while in the distinguished Visitors' Gallery, the Private Secretary to the Governor was present, besides Lady Ba and some other prominent persons.

U Kin Maung (*U Chit Hlaing's* Party) moved his motion of "no-confidence" in the present Ministry. He said that the Ministry failed to improve the agricultural conditions of the country and were out of touch with the country. He also charged the Ministry with having no policy. The speaker continuing pointed out that at the previous sessions of the Council, the Ministers almost always suffered defeat on resolutions or motions which the Opposition put up. He therefore asked what was the use of Ministers, who failed to carry the day on behalf of the Government? The Ministry had not the support of the majority of the elected members and there were many things which the Ministers could carry on in the interests of the people but they did not, their excuse being that Government would not allow them to have their own way. The Minister for Forest and Agriculture could have initiated plans to set substitutes for the rice industry, but he failed to do so. Regarding the Forest Department, there were several complaints and so in the case of Excise and Co-operative Departments. Referring to *U Kyaw Din* (Education Minister), *U Kin Maung* severely criticised his actions charging him with being a "supporter of Government policy." He pointed out that *U Kya Din* came to the Council as an anti-Separationist and through the backing of Dr. Ba Maw's Party got his present elevated position, but "we know what he is to-day."

Mr. *E. P. Pillai* (nominated), opposing the motion, said that he was an elected member of the last Council. Though he was a nominated members to represent Labour, yet he reserved his right to vote independently. He criticised the mover saying that *U Kin Maung* had not facts to show cause for the removal of the present Ministry, except "absurd allegations" against the respective Ministers. He emphasised, "My view is that the greatest stumbling block to the progress of the country is the Opposition itself". He referred to the services that Sir Joseph Maung Gyi (Forest Minister), rendered to the country and Burmans as Forest Minister, Home Member and Administration. *U Kyaw Din*, he emphasised, though he was a recent acquisition to the politics of Burma, yet had achieved some success, despite financial difficulties.

U Saw (Peoples' Party) supporting the motion criticised Mr. Pillai. *U Saw* expressed no-confidence in *U Kyaw Din*, stressing his disapproval of *U. Kyaw Din's* work at the Joint Parliamentary Committee, where he did not press for a better constitution.

U May (Ba Maw's Party) supporting the motion, said that last year he supported the present Ministry, thinking it was too premature to oppose it but now after the lapse of a year, he found that the present Ministry was "useless".

U Po Mya (Dr. Ba Maw's Party) also expressed complete lack of confidence in the present Ministry.

U Thi (Whip of Dr. Ba Maw's Party) criticising the Ministry, remarked that *U Kyaw Din* at the Joint Parliamentary Committee spoke not as representative of the country but as a supporter of Government. He explained the reasons for their Party's support to the present Ministry last year. *U Tha*, though he had no confidence in the present Ministry, was afraid that the new one might be worse. He was followed by *U Tun Pe*, who opposed the motion.

U Sein Ba (Peoples' Party) said that Sir Joseph Maung Gyi had no following. The Independent Party existed in paper only. *U Kyaw Din's* case was infinitely worse. The speaker asked if any improvement was effected by *U Kyaw Din* in education and sanitation.

Soon after *U Sein Ba* had resumed his seat, Mr. S. A. S. Tyabji rose to a point of order, pointing out that the leaders of the parties in favour of the motion had not spoken.

Dr. Ba Maw then expressing his willingness to comply with Mr. Tyabji's request explained the position of his party. He remarked that in supporting the present Ministry last year, his object was not to disturb its position so long as the separation issue remained dominant in the country. Also their constitutional policy was not jeopardised. They were now faced with constitutional and economic crises and the present Ministers had no policy "except that of capturing office." They carried on the official policy. Further, they had no contact with the country and no support except from officials and nominated members and minorities. For the purpose of a stable Ministry, the three essentials were, real contact with the country, ability to assist the Government in solving the country's problem and a policy of reflecting the minds of the people of the country. The present Ministers failed to satisfy these requirements. They had no sympathy and policy. Further, Sir Joseph Maung Gyi expressed his preparedness to accept any constitution if separation was effected. *U Kyaw Din's* attitude at the Joint Parliamentary Committee was destructive to Burman's legitimate claims.

Mr. S. A. S. Tyabji, opposing, apprehended that the passing of such notions would result in possible reactions on large matters remaining to be settled, he meant the constitutional reforms. He thought no Ministry was safe in the diarchical form of Government and under the present circumstances he would allow the present Ministers to continue till a stable form of government was reached.

U Kyaw Din (Education Minister) replying referred to the main issue involved. It was his policy, he said, not to interfere with the decision of any local body unless he thought that particular claim was against the general policy of local bodies. The main charge against him was his attitude at the Joint Parliamentary Committee. He was invited to join the delegation as an ordinary representative. His attitude there was that it was the aspiration of the people of Burma to form a separate political entity. It was not he who changed his attitude, but Dr. Ba Maw and his party. Concluding, he said that as no specific allegations were made against him, it was difficult for him to give a detailed reply. Still he would say at this juncture it was not wise that they should be quarrelling on the attitude adopted by him at the Joint Parliamentary Committee.

U Ba Pe (leader of the Peoples' Party) said that the position of his party was very clear. From the strict constitutional viewpoint, a man having no following must not be in the Ministry and this test he applied last year after *U Kyaw Din's* appointment as Minister and then his party's motion of "no confidence" in the Ministry was defeated, Doctor Ba Maw's party having supported the Ministers. Now *U Kyaw Din* lost support of Dr. Ba Maw's party or Dr. Ba Maw's party lost confidence in him. So his party applied again the same step. Regarding Sir Joseph Maung Gyi he referred to the responsibility of Ministers under diarchy.

Sir Joseph Maung Gyi (Forest Minister) replying said that he had always been a Separationist and still was a Separationist. Regarding the attacks made that he was satisfied with the constitution outlined by the Prime Minister, he explained that it did not matter what constitution they got but the way they worked it. He emphasised that he was as patriotic as any other Burman in the House.

Regarding the position of Minorities, Sir Joseph pointed out that a minority should not be ignored because it always helped to increase the prosperity of the country. He challenged his opponents to show how he had gone out of his way to incur the "no confidence" of his country. Concluding, he said, as a Buddhist, he

believed in Karma and if his Karma was good, the Opposition could not succeed in their attempts.

The motion was then pressed to a division and carried by 49 against 47 votes, only *U. Ni* remaining neutral. Three members of *U Chit Hlaing's* party and one of *Dr. Ba Maw's* group voted against the motion. Amongst Indian members, three were absent while others voted against, excepting *Mr. Ganga Singh*.

NO-CONFIDENCE ON PRESIDENT

21st. FEBRUARY :—*U. Kin Maung's* motion for the removal of the President was defeated at the Council by 42 votes against 41. *U. Ba Thaung* withdrew his motion for the removal of the Deputy President.

The President, *Sir Oscar De Glanville*, at the outset, pointed out that it was perfectly constitutional for him to preside over the day's business but explaining the position created by the 'no-confidence' motion against him, he expressed ignorance of any indication of the charges that had been levelled against him on account of which he should resign. He would, however, exercise his right of replying against the charges, before putting the motion to the vote. After these remarks the President retired, calling upon the Deputy President to take the chair.

U. Kin Maung then moved his motion for the removal of the President. The mover said that it was not through personal feelings that he was moving this motion but because of several grievances the House had against the President. He also complained of the President's insufficient knowledge of the Burmese language, as a result of which, he opined, the work of the Council was hampered, as a majority of the members, being Burmans, were not acquainted with the English language. The continuance of the President in office was prejudicial to the interests of the members, the Government and the country. Referring to the matter in which the speaker was examined by the President regarding two resolutions, notice of which was given by two members of his Party, *U Kin Maung* resented the action taken by the President in that respect. With a view to ascertaining the validity of those resolutions, *U Kin Maung* said that the President instituted police enquiries and when their report was in the negative the President took down a statement from him.

U Ba Chaw and *U Po Thein* of *U Chit Hlaing's* Party and *U Po Mya* and *U Thi* of *Dr. Ba Maw's* group supported the motion. *U Po Thein* blamed the President for not being able to manage business in such a way during the discussion of a constitutional issue as to elicit a definite reply on the question of Separation and Federation, while *U Thi* accused *Sir Oscar* of giving more time to officials and Independent members to speak and treating them in a suave manner, which latitude, he contended, was not accorded to the Opposition.

U Ba Shwe (*U Chit Hlaing's* Party), opposing the motion, warned the House against being led away by envious feeling.

U Sein Ba (Peoples' Party) also supported the resolution.

U Ba Thein (*U Chit Hlaing's* Party) 'inter alia' charged *Sir Oscar* with party prejudice and attempt to suppress freedom of speech. In support of his argument, *U Ba Thein* read out several important resolutions which were disallowed by the President. He also blamed the conduct of *Sir Oscar* for the employment of an outside agency to make enquiries regarding a matter concerning *U Kin Maung* which action of the President, he thought, was an insult to the House.

U Ba Maw supporting the motion remarked that it was not connected with Separation.

U Chit Hlaing, in the course of his speech, said that he was not at peace in mind for the resolution before the House. He would be the last person to see the fall of *Sir Oscar*. He also remarked that he was not instrumental in the motion being brought forward. He expressed the opinion that he would never attempt to take any office under the coming reforms. "I must work and die for the benefit of the country", he said. *U Chit Hlaing*, continuing, said that as other parties had asked for their cooperation, his party, with its majority, would co-operate with those for the motion for the betterment of the country.

Sir Oscar, replying, said that a great deal had been said about the receipt of certain resolutions in the Council and certain police action taken in that connection. With a view to explaining the matter concerned, he pointed out that on 31st January, 1934, the last day for receiving resolutions, certain resolutions, including resolutions of "no-confidence" in the Ministry, bearing the signatures of *U Kyaw Din* and *U Paw U* were sent in and he and other members of the staff of the

Council Office, believed the signatures to be genuine and so he passed orders on them, but on future examination he doubted the genuineness of the signatures. As the members concerned were living in the districts, he asked the Chief Secretary to make the necessary enquiry, so that his doubts might be cleared. As a result of the enquiry, it was revealed that no members had signed the resolution nor had they authorised anyone to send in such resolutions. He, thereupon, called U Kin Maung to his office and the latter made a statement, which the President read out to the Council. The statement was to the effect that both U Kyan Din and U Paw U had each sent in a resolution and U Kin Maung, thinking they would agree, had added further resolutions to theirs.

Refuting the charge that he encroached upon the rights and privileges of members, Sir Oscar pointed out that it was his duty to maintain a high standard for himself and keep order in the House. His conscience did not reproach him in any way because he felt he had done what was perfectly right. Regarding his alleged partiality to the Independent Party and rulings on matters of Separation and Federation, Sir Oscar said that no reply was required from him, remarking that the Opposition must know in their hearts whether he had treated them fairly or unfairly. Regarding his insufficient knowledge of Burmese, he pointed out that the Council language was English.

The Chief Secretary, *Mr. Booth Gravely*, pointed out to the House that the President used the right channel for enquiry and when he sent a telegram to the Deputy Commissioners of the districts where the members concerned were living, it was not contemplated that the police should be entrusted with the enquiry and he regretted that happening. He assured the Council that in future no such thing would occur. He also referred to the excellent manner in which the President conducted the business of the House not only in this Council but also in previous Councils.

U. Ba Than (Peoples' Party) stood up and criticised the President's policy not only regarding his action concerning the resolutions, but resented the rulings given from time to time by the President.

Mr. J. Cherry, opposing the motion, characterised the charges against the President as frivolous and said that no reasons were adduced to support them. The speeches indicated merely the leaders' attitude. In connection with yesterday's no-confidence motion certain reasons were adduced but to-day there were none.

C. P. Kin Maung, replying to the debate, pointed out that the notices did not bear any trace of signature. The names were only transcribed in English. There were no forgeries. He made no attempt to disguise his handwriting. He was fully authorised by the members concerned to act on their behalf. His motion had nothing to do with the Separation and the Federation issue.

The *Finance Member* then said that motions for the removal of the President should not be moved in a party spirit. The charges should 'be definite to be placed before the Governor. In this connection he referred to Mr. Cherry's remarks regarding C. P. Kin Maung's action. He said C. P. Kin Maung had acted in honesty of purpose, but had taken an exaggerated view of his Party duties.

Referring to police enquiries, the Finance Member expressed regret on behalf of the Local Government. Concluding, he warned the House that if the motion was passed it would be most injurious to the prestige of the Council.

The motion was thereafter pressed to a division and defeated by 42 against 41 votes. Three of U Chit Hlaing's party remained neutral. The latter allowed free voting on the motion. U Ba Taung then withdrew his motion for the removal of the Deputy President. The Council then adjourned.

BURMA EXCISE AMEND. BILL

24th. FEBRUARY :—At to-day's sitting of the Council, the Forest Minister's *Burma Excise (Amendment) Bill 1934*, permitting the employment of women in places where foreign liquor is sold or served under certain conditions subject to the approval of the Excise Commissioner, having been considered, was passed. The Council then adjourned till the 28th. February

VOTING ON BUDGET DEMANDS

28th. FEBRUARY :—Voting on Budget demands commenced to-day. The cut motions made by U. *San Lu* in connection with the item under demand by the Finance Member resulted in a Government defeat by 25 against 48 votes, the purpose of the motion being to reduce land revenue demand by 50 per cent.

1st MARCH :—The Council passed to-day the *Finance Member's* demand for Rs. 209,21,830 minus Rs. 230 as the result of five cuts, the purposes of which were 50 per cent. reduction in land revenue, reduction of capitation and That-hamada taxes and exemption of persons over 55 from payment of the capitation tax. The Government suffered defeat in every cut.

SHIPPING LABOUR'S GRIEVANCES

3rd. MARCH —A few hours before the Council resumed sitting to-day, a crowd of Burmese shipping labourers assembled at Sparks Street to take out a procession for the purpose of making a demonstration in favour of U Saw's cut motion in the Home Member's demand. The motion asked to raise the 50/50 basis to a cent per cent basis in Burmese shipping labour. Permission for the procession was refused, and to prevent any disturbance the police was stationed outside the Council Chamber and at the entrance to the Secretariat offices. Red leaflets in Burmese demanding 100 per cent Burmese dock labourers were also distributed to M. L. Cs.

There were only a few minutes left for the Council to be adjourned for the day when U Saw's motion was reached. The mover proposed, as a protest, throwing away the total demand for Rs. 43,630 instead of reducing it by Rs. 100, but the motion was lost.

BURMA REBELLION RECALLED

The last Burma Rebellion was recalled to-day by another cut motion of Rs. 100, moved earlier by the same member urging the appointment of a non-official committee under the chairmanship of a High Court Judge to enquire into real causes of the last rebellion and the alleged excesses committed by the police and military irregular force. The motion was carried by 38 votes to 20. U Saw, maintaining that the rebellion originated from economic distress, criticised the Government report just published as one-sided and said it gave the impression that the cause of the rebellion was political.

The *Chief Secretary*, explaining the report, pointed out that it was based on judicial findings and further enquiry therefore was unnecessary and fruitless. He added a similar motion was put before the Council last year.

In the course of the mover's speech and Chief Secretary's reply references were made by both to the mover's proscribed pamphlet on the rebellion. The Chief Secretary criticised the pamphlet, which did not give an idea of the peace and order to which the mover referred while moving the motion.

The *Home Member* endorsed the view of the Chief Secretary that the enquiry was needless as the same after three or four years now would give them the impression of people only, instead of reliable evidence. The motion was pressed to a division and was carried.

The *Home Member's* demand for Rs. 2,85,68,780 minus Re. 221 as the result of several cuts was passed. The House then adjourned till the 5th.

REFUND OF RICE EXPORT DUTY

5th. MARCH :—In the Council to-day an adjournment motion by Mr. C. G. Wodehouse, Chairman of the Burma Chamber of Commerce, was discussed to express keen disappointment at the non-success of the Burma Government to obtain the refund from the Government of India of at least half the amount contributed by Burma by the export duty of rice in view of the fact that the Government of India had announced their intention of refunding half of the export duty on jute to the producing provinces. All non-official sections of the House including Indians, Europeans, Indian and Burmese Chambers of Commerce supported the motion which was unanimously carried. Mr. Wodehouse stressed that Burma, like Bengal, was equally faced with an annual deficit. He pointed out that Burma's annual deficit per head was As. 10, while Bengal's was As. 6. Moreover, Burma was dependent on its rice crop with no manufacturers like Bengal. He also regretted that the local Government was not wide awake and clever as the Bengal Government in this connection. He also referred to the non-inclusion of Burma in the Indian White Paper and no particular reference to rice export duty therein, whereas provisions were made in the White Paper for the Bengal Jute Tax. He hoped that the Local Government would put up a cast iron case for at least half refund of rice export duty.

The main points urged by many speakers including party leaders were that the Jute Export Duty was entirely borne by consumers while the burden of rice export duty was shared by agriculturists at present though there was a time when Burma was practically the only rice exporting country. References were also made to the iniquity of the Meaton Award. Some speakers pointed out that Burma's case rested on justice and equity and not only analogy.

The *Finance Member*, Mr. Couper, Leader of the House, said that in the previous debate on the proposals to secure the proceeds of the export tax on rice for provincial revenue the Government had taken no active part and therefore to-day he proposed to follow a similar course but he opined that the Government would support the motion with such force as it commanded. As to the merits of the case the Government, after all, was a subordinate Government and had to observe constitutional etiquette.

The *Finance Member* then detailed how the Government on many occasions either mooted on its own initiative proposals in connection with the tax or had given cordial co-operation to every proposal which dealt with the subject. He also stated that the Government's efforts to improve the financial position by getting a refund of taxes had not been successful though the Government was not negligent in such matters.

6th. MARCH :—The Council passed to-day the whole Budget with a few token cuts under demand of the *Forest Minister*. There being very little time, barring one cut, which was withdrawn, no others came up before the House under the *Education Minister's* demand, which was put to vote and passed.

EXCISE DUTY ON MATCHES

7th. MARCH :—The Council unanimously passed to-day the adjournment motion moved by Mr. Ganga Singh to discuss the policy of the local Government in regard to the Government of India's Budget proposals so far as they relate to Burma and the treatment meted out to Burma especially in the proposed imposition of excise duty on matches and sugar and urge the Government of Burma not to relax its efforts to protect Burma's interests.

Mr. Ganga Singh said that the Government of Burma, with the consent of the Government of India in 1932, in order to balance its budget imposed a consumption duty at a rate of 12 annas per gross on matches manufactured in or imported into Burma, bringing an income of about 18 lakhs of rupees. Now the Indian Exchequer proposed to repeal the consumption duty and levy an excise duty on matches in India and Burma. This would mean roughly a collection of 54 lakhs from Burma but out of this total Burma would receive 18 lakhs which she is at present getting. He also observed that this taxation would adversely affect the masses and growing indigenous industries. Regarding the proposed excise duty on sugar, it would further allow foreign import to get more through customs and bring ruin to Burma's sugar industry and cultivators.

Several members, who supported the motion, remarked that additional taxation was proposed to help Bengal and punish Burma along with others. The *Finance Member* said that the local Government protested against the proposal for repealing consumption duty on matches when the Government of India communicated it to them. They also protested against inadequate assignment to Burma from the Central revenues. He assured the House that the record of the debate would be sent to the Government of India as early as possible.

RANGOON MUNICIPAL AMEND. BILL

8th. MARCH :—The Council unanimously passed to-day the City of Rangoon Municipal (Amendment) Bill 1934 as amended by the Select Committee, designating the President of the Rangoon Municipal Corporation as Mayor.

Under the orders of His Excellency the Governor, after to-day's business was over, the Council was prorogued.

SEPARATION OF BURMA

R. T. C. DELEGATES' PROPOSALS TO JOINT COMMITTEE

A joint memorandum on the scheme of constitutional reform in Burma, if separated from India, with appendices on the Local Government's memoranda regarding trade discrimination and franchise and on the sub-committee's report on Education in Burma, was submitted to the Joint Select Committee on 22nd. December 1934 by U Ba Pe, U Shaway Tha, Dr. Ma Bau, U Thein Maung and U Kyaw Din, Burma delegates. U Kyaw also submitted a separate Memorandum on points he differed from the Joint Memorandum.

The Joint Memorandum discussed in detail the problem of the constitution as sketched in the Burma White Paper proposals and pointed out that the aspiration of the people of Burma was to attain "Dominion Status" within the British Commonwealth of free Nations.

Welcoming the suggestion that His Majesty might be pleased to adopt the title of the King Emperor of Burma after the separation of Burma from India, the signatories proposed that the head of the Executive in Burma should be designated Governor-General and should always be a man who had had appreciable Parliamentary experience in the working of full responsible Government. But he should never be a military man, a member of the Civil Service nor a man who was not acceptable to the Ministry of Burma with which he would have to work.

With regard to Defence they recommend that there should be a military Council for Burma on the lines of the Imperial Defence Committee and the Governor-General and the Military Council should be charged with the duty of raising a Burmese Army and training the Burmese people to defend themselves by opening schools on the model of British Army Schools.

The Legislature of Burma should be kept acquainted with military matters and it should have the right to discuss them.

As regards external affairs, they suggested that these should be confined to the subject of political relations with other countries. Commercial, economic and other relations should be within the purview of the legislature of Burma and ministers responsible thereto.

With regard to Reserve Subjects generally they contended that it should be made quite clear at least in the instrument of Instructions to the Governor that Burmans should be associated with the administrations of all the reserved subjects so that they might get the necessary training to take over the full responsibility of administering them in future.

So far as the appointment of financial adviser was concerned they approved of the appointment subject to certain conditions, the important of them being:—

(I) He should be an independent expert who was not connected with any political or financial interest in India, Burma and the United Kingdom.

(II) He should not have any executive power.

(III) He should be under statutory obligations to give such financial advice to the legislature of Burma as it might require.

(IV) His salary and conditions of service should be fixed by the Governor-General after consultation with ministers.

Alluding to the special responsibilities of the Governor-General the signatories held that the Governor-General's decision as to whether any of special responsibilities were involved by any given circumstances should be reported immediately to the Secretary of State and should be subject to cancellation by him. It should also be subject to revision by the Judicial Committee of the Privy Council at the instance of the Ministry.

Dealing with the subject of legislature they were of opinion that a second Chamber was not necessary and, therefore, the legislature should be unicameral.

The Joint Memorandum in an appendix criticised the proposed discrimination in Burma and held that there should be a reciprocity clause as against the rest of British Empire inasmuch as such a clause was there even in the case of the

United Kingdom. Equality or mutuality was equity and it was absolutely unfair to compel Burma to recognise the rights of citizens of other countries in the British Commonwealth which did not similarly recognise the right of her people. Besides, there was no reason why they should not be satisfied even with the same terms and conditions as the United Kingdom. This protest was made on principle. In actual practice there might not be any Burman to take advantage of reciprocity in the matter for some considerable time. The signatories also urged that it should be within the competence of the Burma Legislature to remove such commercial and administrative discrimination as might have been in existence before the Constitution Act came into force.

Further, they noted with some satisfaction that no protection of the right of entry into Burma was contemplated in favour of British subjects domiciled in India, but strongly opposed the proposal that the introduction of any legislation regulating immigration should be subject to the Governor or Governor-General's prior consent and might also be reserved for signification of His Majesty's pleasure. They also stressed that it should be made quite clear in the Act that the Government of Burma should have complete control of its own land.

COMMUNAL REPRESENTATION

Referring to communal representation, they advocated that there should be no communal representation, for :

1. The system of communal electorate was a very serious hindrance to the development of the self-governing principle ;
2. The communal problem, in the Indian sense, did not exist in Burma.
3. If the criterion of the existence of a minority adopted by the League of Nations be applied, namely, that a minority must constitute at least 20 per cent of the total population, there were no minorities in Burma.
4. The minority communities had gained representation through general constituencies in the past and they were influential enough to do so in the future.
5. In some constituencies, the minorities were compact enough to be able to secure the seats to themselves, e. g. the Indians in Rangoon, the Chinese in West Rangoon and the Karens in Thaton and Amherst districts.
6. Two of the communities were to be represented through special seats for commercial interests, such seats being provided for the European and Indian Chambers of Commerce.
7. Protection of the legitimate interests of the minorities was a special responsibility of the Governor-General, and,
8. There were provisions against trade and administrative discrimination.

Dealing with the question of European representation, they were of opinion that if the European community was given communal seats on population basis like other communities, and no special weightage was allowed for their commerce inasmuch as it was to get special representation, the community would be entitled to about .08 of the seats. That being so, there was no justification to provide communal seats for the European community.

Referring to Anglo-Indians (including Burmans and Europeans), the signatories viewed that there was no justification for the provision of communal seats for the Anglo-Indians. They were out for a merger with the Burmese people and were opposed to communal representation and separate electorates. A large number of them consisted mainly of Anglo-Indians serving in the Railways, Press and Telegraphs Departments and as such had no abiding interest in the country and they would return to India on completion of their term of service in Burma. They had also no special commercial interest to be protected. As regards members of various services, their prospects and position would be fully secured by proposals under "Public Services". They would also enjoy equal rights and liberties on the same footing as the Burmese people.

INDIAN'S CLAIMS

With regard to Indian representation they expressed opinion that it would be unfair to the people of Burma to provide communal seats to a section of Indians in the name of the whole Indian community because—

1. The Indians were in a strong position in Rangoon, Mandalay and other places and they would always find seats in the Legislature through the general constituencies.

2. They are temporary residents with no abiding national interests in the country.

3. If the Labour votes and the votes of the members of Indo-Burma races were deducted from the total Indian population in the areas that would be made into constituencies, the actual number of Indians who were demanding communal representation on separate electorates would be very small.

4. The members of Indo-Burma races were opposed to communal representation as they always got seats in the Council through general electorates.

They also advocated that all general constituencies should be single member constituencies so that the areas might be smaller and members might be able to keep themselves in touch with their respective constituencies.

ANTI-SEPARATIONIST DELEGATES' MEMORANDUM

Expressing the opinion that Burma was part and parcel of Indian Empire and that Federation was the logical course, *U Chit Hlaing*, Anti-Separationist Burmese delegate, submitted the following memorandum to the Joint Select Committee on the 22nd. December 1934.

The majority of people in Burma were opposed to the diarchical constitutions inaugurated by the Montague-Chelmsford Reforms and for ten years (until the last general election) took no part either in the elections or in the legislatures. They were opposed also to the Statutory Commission presided over by Sir John Simon and gave no evidence before it.

The only people who took part in the elections, sat in the legislatures at Rangoon and Delhi or Simla, and gave evidence before the Statutory Commission, were the so-called cooperators and it was from the ranks of this minority only that representatives were invited to serve on the first Indian Round Table Conference.

We, who wish to continue as part of the Indian Federation, never accepted them as acting or speaking for the majority of the electors of Burma whom I, Dr. Ba Maw and others represent, nor do we accept them now as speaking for any except a minority of the people and electors of Burma.

On their statements, backed up by the Government of Burma and the India Office, it was assumed that Burma would wish to be separated from India. A Burma Round Table Conference was held in London at St. James' Palace, from 27th November 1931 to 12th January 1932.

At that Burma Round Table Conference we, the Burma majority who desire to remain in the Indian Federation, were represented for the first time.

In spite of our statements there, most of the time of that Conference, as most of the time that we have sat as delegates with this Joint Select Committee, was spent in discussing the kind of constitution Burma should have if she were separated from India.

It was agreed on all sides, at the Burma Round Table Conference, that the decision of separation from or continued federation with India should be decided by the people of Burma by their votes on this distinct issue at a general election to be held after our return to Burma following the conclusion of the Burma Round Table Conference.

PREMIER'S DECLARATION

At the final session of that Conference, the Prime Minister made the matter crystal-clear. He read a statement which he was "authorised to make" by his colleagues of His Majesty's Government.

The chief points in the Prime Minister's declaration were contained in these words:—

"The first step is to ascertain whether the people of Burma endorse the provisional decision that separation should take place.

"The people of Burma will be in a position to decide whether or not they are in favour of separation from India. His Majesty's Government consider that the decision might best be taken after a general election at which the broad issue had been placed before the electorate.

"That decision will determine whether, on the one hand, Burma should be independent of India with a constitution on the lines set forth above or, on the other hand, should remain a province of India with the prospects indicated in the proceedings of the two sessions of the Indian Round Table Conference and in this connec-

tion it should be remembered that if an Indian Federation is established it cannot be on the basis that members can leave it as and when they choose".

The Prime Minister's statement was translated into Burmese, printed as a booklet (a copy of which was exhibited to the Joint Select Committee and circulated by the Government of Burma, by the thousands, in every village in Burma. It is impossible, therefore, to argue that the electors of Burma were not fully cognisant of the issue to be voted on at the general election, of their responsibility in casting their votes, and of the express statement made by the Prime Minister that Burma's decision on this question of federation or separation was final and conclusive.

INDIA SECRETARY'S STATEMENT

The issue put before the electors of Burma was further emphasised and made clear by a statement made by the Secretary of State for India, in the House of Commons on 20th March 1933, after the general election had taken place. In this statement the Secretary of State for India used these words:—

"In the event of Burma electing for separation from India His Majesty's Government hope that it will be possible for the Joint Select Committee to examine their proposals for a constitution for a separated Burma, and to do so in consultation with representatives of Burma in the same way as it is proposed that representatives of India should be taken into consideration on the Indian proposals.

The second of the two alternatives open to Burma is to remain a province of British India and be concluded as Governor's Province in the Indian Federation. It has been explained more than once in this House and also in the Legislative Council in Burma that no differentiation in favour of any one province in respect of conditions of inclusion in the Federation is possible. The constitutional proposals for each and every Governor's province are now shown in detail in the White Paper that has just been laid.

"If Burma chooses to remain a province of India in the Indian Federation, the proposals contained in this White Paper for the structure of the Provincial constitutions, for the relations between provinces and the Federal authority, and for the allocation of revenue between Provincial and Federal Exchequers, will be applicable to her as to all other provinces and the inclusion of Burma will necessitate no modification of these proposals.

"Her inclusion would, however, involve some revision of the Federal proposals, in respect, particularly, of the composition of the Federal Legislature. His Majesty's Government contemplate that, if Burma elects for inclusion in the Federation while the present proposals are under consideration by the Joint Select Committee, the adjustments involved by her inclusion might be made at the Committee stage: but it is evident that the longer Burma delays a choice between the only two alternatives, that are open, the greater will be the delay to the prospects of her own constitutional development."

If after that election, fought on the issue fixed by His Majesty's Government Burma is now separated from India against the clear expression of their wishes given by a large majority of the people of Burma at the general election, it will shake the faith of the Burman people in the sanctity of British pledges. I dread and am unable to anticipate what the possible reactions in Burma may be. This is a matter that affects the people of Burma vitally in their economic and financial future. They look to His Majesty's Government to fulfil the pledge given to them by your Prime Minister. They feel no doubt that such pledges are as sacred to you as they are in us. I pray you not to force our people into the belief that a promise given to them by His Majesty's Government is not to be relied upon to be carried out to the full. We have trusted you and pray that the trust of a people 8,000 miles away from your shores may not be misplaced.

There is no party or section in Burma or in the Legislative Council—not even the Separationists represented by the People's Party led by U Ba Pe—which has not refused to accept the separated constitution for Burma outlined by the Prime Minister at the conclusion of the Burma Round Table Conference. Indeed, all parties have voted against such a constitution as being quite unacceptable to Burma.

GENERAL ELECTION

The General Election, for the election of 80 members to the Burma Legislative Council, on the issue fixed by the British Cabinet, was held in Burma in November 1932. The final results were as follows:—

safeguarding the interests of Burma produce and industries against foreign competition ; to move the Government to reduce all taxes as soon as practicable ; to urge the Government to appoint immediately an economic council to undertake an economic survey of Burma and consider all economic questions including taxation, production, trade and marketing ; (6) to urge all affiliated associations to encourage volunteer and fire fighting associations for the protection of towns and villages and create a central organisation for control of all such associations , in view of the impending reforms to urge the Government to grant general amnesty to all political offenders and remove the existing ban on unlawful associations this being absolutely necessary to create a proper atmosphere for workers of reforms ; and to urge the Government to withdraw all restrictive orders passed under Section 144 for the same reasons.

At the close of the proceedings *Dr. Ba Maw*, Education Minister, addressed the Conference for about an hour, regarding his work on the Burma Delegation.

REDUCTION OF SALT DUTY

The Conference, under the control of *Myeso Sayadaw*, concluded its session on the 12th. May. The resolutions passed (1) urged the reduction of duty on salt to the previous level, (2) protested against the levying of separate thathameda taxes on families living jointly and on aged people, (3) objected to the taxation of crops instead of land and (4) urged the opening up of newly reserved forests.

U. Sein (Bandoola) was re-elected President for the ensuing year.

Burma Indian Association's Views

Speaking at the third annual meeting of the Burma Indian Association, held at Rangoon on the 12th. May 1934, *Mr. S. A. S. Tyabji*, M. L. C., President of the Association, said that he had no idea of separation or federation but the whole question lay entirely with the Joint Select Committee, adding that trade relations would be one of the factors. He also invited suggestions and criticisms from the members of the Association on his Memorandum on labour and the Joint Memorandum submitted by him and *Mr. N. M. Cowasjee* to the Joint Select Committee on the question of discrimination.

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CONGRESS AND CONFERENCES

The Congress Leaders' Conference

Revival of Swaraj Party

All India Congress Committee

AND

Other Political Conferences

January—June 1934

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